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No. 103.

Legation of the United States.
Peking, May 15th, 1882.

DEPARTMENT OF STATE
JUN 29 1882
RECEIVED

Chester Holcombe to
the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions, numbers 155, 156, and 157, and circular dated March 19th, 1881, refering to the protection of Swiss citizens, have been received.

No. 103.

Legation of the United States.
Peking, May 15th, 1882.

Honorable F. T. Frelinghuysen,
Secretary of State.

Sir:

I have had the honor to receive your instructions numbered 155, 156, and 157, and a Circular dated March 19th, 1882, in regard to expenses incurred by officers of the United States in the protection of Swiss citizens.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

Copy to file in Secretary's

Received June 30. 1882. Cipher.

Posted to Library June 30. 1882. Cipher.

made

No. 104

Legation of the United States.

Peking, May 15th, 1882.

DEPARTMENT JUN 29 1882 RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Ratified Chinese texts of treaties of 1880.

Synopsis.

In obedience to suggestion contained in Department instruction number 156. these copies have been sent to Shanghai to be forwarded thence in closed bag to the Department. Asks that their receipt be acknowledged.

No. 104.

Legation of the United States,
Peking, May 15th, 1882.

Honorable F. T. Frelinghuysen,
Secretary of State,

Sir:—

In reference to the suggestion contained in the closing sentence of Department instruction number 156. that I might be able to send the ratified copies of the Chinese texts of the two Treaties recently concluded with the Chinese Government securely packed and sealed to Yokohama from which place they could be forwarded to the Department in the closed bag, I have the honor to inform you that I am sending them today by the hands of the German Minister,

(who

who has kindly consented to take charge of them, to the Consul General at Shanghai. Mr. Denny has been requested to forward them in the closed bag to the Department.

May I beg you to acknowledge their receipt in due course.

I have the honor to be,

Sir,

Your obedient servant,

Chester Holcombe

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made

No. 105. One Enclosure.



Legation of the United States.
Peking, May 16th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Departure of Commodore Shufeldt
for Corea.

Synopsis.

Sailed for Corea upon the 8th
instant. Encloses copy of a
despatch. Explains that the
proposition that Mr. Holcombe
accompany him, and the
telegram of April 19th to that
effect to the Department was on
the Commodore's own responsibility
and desire, and not the result

of any wish or suggestion
by Mr. Holcombe.

No. 105. One Enclosure.

Legation of the United States.

Peking, May 16th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have the honor to enclose herewith, for the information of the Department, a copy of a letter just received from Commodore Shufeldt announcing his early departure for Corea. By a private letter I learn that he actually sailed upon the morning of the 8th instant. 1/105.

My main object in forwarding this paper to the Department

Department is that it
affords me an opportunity
to explain that the proposition
that I should accompany the
Commodore to Corea, mentioned
in the enclosed despatch and
made the subject of his telegram
of April 19th to you, was
not the result of any
suggestion or expression of
desire on my part. For
reasons given in my despatch
number 86. I made several
journeys to Tientsin in
order to aid Commodore
Shufeldt in his negotiations
there. He expressed great
anxiety and desire to have
my company and assistance
in Corea, and, entirely upon
his

his own motion and responsibility, telegraphed the Department to that effect.

I deem it proper to make this explanation lest the Department should have received the impression that I was unduly anxious to leave my post here, and to meddle with matters not originally confided to me.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

Enclosure.

1. Com. Shufeldt to Mr. Holcombe dated May 6th, 1882.

21/1882.

Dispatch No. 105.

Enclosure.

Mr. Shufeldt to Mr. Holcombe.

No. 21/1882. Chefoo, May 6th, 1882.

Sir:-

I have the honor to inform you that upon my arrival at Chefoo on the 4th inst. I found the U. S. Ship "Iwatara", Commander Cooper at this port, and the following morning Comdr. Cooper reported his ship in readiness to convey me to Corea under instructions from Rear Admiral Clitz, commanding the U. S. Squadron on this Station.

I also found the Chinese gunboats under command of Admiral Ting of the Imperial Chinese Navy in the port ready to proceed to Corea. Ma-Taotai, a messenger from His Excellency, the Viceroy at

at Tientsin, forwarded to me a letter from the Viceroy crediting him to me as a messenger on the part of the Chinese Government to proceed to Corea. In a subsequent interview with this gentleman I ascertained that the draft of treaty, (No. 4) which had previously been presented by you and myself had been forwarded to the government of Corea without any conditions of a political character being imposed upon it by His Excellency, the Viceroy, - and he announced himself ready to proceed on the morning of the 4th inst. in a Chinese vessel-of-war.

While at Shanghai I wrote to the State Department under date of April 28th, that if, on arriving at Chefoo, I found the

the state of affairs as above indicated I should proceed to Corea in the absence of any further instructions from Washington. I have therefore determined, if the Chinese officials leave here on the morning of the 4th inst., to follow them the next morning to the coast of Corea to a predetermined anchorage.

I confess myself somewhat surprised at the evident desire of the Chinese Government to act upon this treaty without imposing any conditions whatever and under these circumstances and in the absence of answers to the telegrams I feel it my duty to carry out my original instructions.

I regret exceedingly that the State Department has not authorized you to accompany me to Corea and shall no

doubt

doubt feel the need of your experience and knowledge, but I take this occasion to express to you my sincere obligations for the services you have already rendered. If the treaty is perfected and ratified it will be due very much to the interest you have taken in the matter.

It is, of course difficult to say when, or to what port, I shall return, but by the earliest opportunity I shall inform you of the results.

I am &c

(Signed) R. W. Shufeldt.
Commodore, U. S. N.

Is there not a later telegram
with news of the settlement of this?

added

No. 106. Recd. 7:6.82 July 26.82 Cipher / Three Enclosures.

Legation of the United States.
Peking, May 17th, 1882.

DEPARTMENT
JUL
6
1882
RECEIVED

Chester Holcombe to
the Secretary of State.

Subject.

The Lehmanfu case. Report
of Mr. Zuch.

Synopsis.

Gives copy of Mr. Zuch's report.
Failed to arrange matters
for reasons which are given
in detail. Mr. Holcombe
indicates a new line of conduct
which he proposes to take and
for which he requests the
approval of the Department.

No. 106. Three Enclosures.

Legation of the United States.
Peking, May 17th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:—

Referring to my despatch number 98., in which the Department was informed that I had sent Mr. Consul Zucker to Chinanfu with instructions to secure, if possible, a fair settlement of the "missionary "case" in that city, I have now the honor to furnish you with a copy of Mr. Zucker's report upon his mission. 1/106

You will see that he has failed entirely to accomplish

the

the object in view. This is due however, in my opinion, to no lack of effort on his part, nor to any error in the conduct of his negotiations, but solely to the intrigues and interference of the literati of Ichinanfu, and the lack of energy and serious disposition to do justice on the part of the Governor of the province. As serving to illustrate the offensive action of the literati, I beg to call your special attention to the translations of four placards which were posted while Mr. Zuch was in Ichinanfu and which accompany his report. The Governor declined to take any notice

notice of these incendiary
papers.

I also enclose a copy 2/106.
of a letter which has been
received from Messrs. Murray
and Hunter. It thanks me
for my action in sending a
deputy to Shimanfu to adjust
their difficulties, and is
worthy of careful attention as
it gives an accurate view of
the present situation of affairs
there.

I have addressed Mr. 3/106.
Such in response to his
report, thanking him for the
earnest and well directed efforts
made by him and Mr. Taylor
to bring this troublesome business
to an end.

After

After much careful study of this case in its present aspects, I have decided to take an entirely new departure, and to address H. I. H. Prince Kung reciting the facts connected with the destruction of the mission premises in July last, pointing out the plain stipulations of treaty which have been violated, and calling upon him to restore the original premises to the missionaries, reimburse them for the damage done to their property, grant them full protection in the occupancy and use of it, and to punish those concerned in the riot as the treaty promises.

In

In my opinion it would have been far better had this course been pursued by Mr. Angell at the outset, and had he left the local authorities to make the proposition for an exchange of premises instead of making it to them.

I must say frankly that, in taking this course now, I doubt very much whether I shall be able to secure the restoration of the original premises or the punishment of the rioters. But there is good ground to expect that the Chinese Government will thus be forced to take the business up

up seriously, and either to
restore the original property
to our people, or to give them
that which is equally
available in its stead.

There has been no
scarcity of premises suitable
to the wants of the missionaries
in Shimonoseki. The sole
difficulty has existed in the
indisposition of the Chinese
Government to take the
business seriously in hand
and to make an end of it.

I trust that the line
of conduct proposed will
meet with your approval.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

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Enclosures.

1. Mr. Quick to Mr. Holcombe No. 14. May 12th/4. 1882.
2. Messrs. Murray & Hunter to Mr. Holcombe 22/1882. May 1st/4. 1882.
3. Mr. Holcombe to Mr. Quick. No. 19. May 13th/4. 1882.

Despatch No. 156

Enclosure 1.

Mr. Tuck to Mr. Holcombe.

No. 14. Tientsin, May, 12th. 1882.

Sir.

I have the honor to hand you herewith my report on the "Chuan-fu case", pursuant to instructions contained in your despatch No. 11 of April, 3rd.

Since my return I have been so overwhelmed with office work, which accumulated during my absence, that it has been impossible for me to prepare it at an earlier date. The report on the Li Fu Chu case will follow as soon as it can be prepared.

I am &c.

(Signed) J. C. Tuck.

Mr. Zuck to Mr. Holcombe.

Tientsin, May. 12th, 1882.

Sir,

I beg to report the result of my mission to Chi nan-fu, in pursuance of your instructions in despatch No. 114.

I arrived at Chinanfu on Saturday, April, 15th and was received by the Governor Jen Tao Jung, the next day. The Governor introduced me to the Taotai Pan Yuan Ling, two Expectant Taotais the Fung Chih (Sub Prefect) and the Chih Hsien. (District magistrate) five gentlemen in all. We sat down to an informal interview at the close of which I expressed the hope

hope that H. E. would appoint a suitable officer to negotiate with me, on the business which had brought me to Chinanfu. The Governor pointed to the five gentlemen present, and said he hoped we would all negotiate together. I said to him, it was unnecessary to appoint so many and that I could only negotiate with one effective Taotai, but that I would not object to the Taotai being assisted by one or two gentlemen as his advisers. I said this because I had been informed that the Taotai was a new man and was entirely ignorant of the business at issue. The Governor consented

The

The interview was very pleasant, I was received with much civility and the Governor repeatedly said that he was very anxious to have the business arranged, in which sentiments I heartily concurred. On Monday, 17th April I called to see the Taotai and commenced discussing the Exchange of property for the missionaries. The Taotai was assisted by the two Expectant Taotai's whom I had met at the Governor's the day before, and who were introduced as "Deputies charged with managing foreign affairs" "Yan yang wu wei yuan."

I told the Taotai that I had come to ask the authorities of Chinkiang

for

fu to give the missionaries a suitable house in exchange for the house purchased by them near the Shui Kuan, which the local authorities had asked them to give up, and which in a spirit of concession they were willing to do. The Tautai said two good locations had been offered to the missionaries by the local authorities, and that these places were still held out to them. One was a property inside the East Gate, and the other a government building the "Ching Cho Kung So" I said both these places had been refused by the missionaries

9 months

months before as unsuited to their wants, and it was useless to propose them again. The Taotai requested that I should inspect the premises because he said the missionaries had never inspected them." I said it would be of no use inspecting them; but since he was so urgent in his request I agreed to let the interpreter go with the two Deputies, reminding him in advance that I could not accept either of the properties. It was agreed that the two Deputies should send a letter next morning appointing an hour in the afternoon to go and see the houses.

In the meantime I asked the

Taotai

Taotai to propose another property on the West Great street, so as not to delay the business. Next morning a messenger came from the Chih Hsien Yamen, and spoke to our servants requesting that we go and see the property at 4 O' clock. We took no notice of such a messenger. At 3½ P.M. another messenger came with a card from the Chih Hsien requesting the consul (?) to go and see the house at 4 O'clock. We told this messenger that we could not take notice of such a message since we had agreed differently at the Yamen the preceding day. We then went out for an hour's exercise, and

on

on our return we found a letter addressed to the Interpreter as agreed, appointing 4 o'clock to go and see the houses, but instead of the cards of the two deputies, it enclosed the cards of the Chih Hsien (District Magistrate) and the Erh Fu (Sub Prefect). Next morning the Taotai in violation of the agreement of the preceding day, viz. that the Interpreter should go and see the houses and not the Consul, wrote to the Consul asking him to go and see the houses. I am thus minute in my narration because it shows the bad faith of the Officials in trifling with

with me at this early stage of the negotiations. I called on the Taotai immediately after to return a friendly visit he had made the day before. He was alone and after talking pleasantly some minutes he brought up the question of going to inspect the houses. I told him I was astonished at seeing his letter asking me to go and inspect the houses after I had agreed not to go, and I recited how the messengers had come the day before with word from the Chih Hsien (District Magistrate) and how altogether it had been a most wanton case of trifling. The

Taotai

Taotai made some hollow excuses, and no more was said about going to see the houses.

I then asked the Taotai if he had seen the inflammatory placards that had been posted in various parts of the City the day before. (I enclose copies Nos. 1. 2. 3. & 4) The Taotai said "he had not". I told him the purport of them, and asked him, to have them removed and punish those who had put them up; that it was easy to discover who they were, they were the literati in the Shu Yuan; that the literati were the min jen (the people) and came under the laws like the

rest

rest; and that it was an offense even against Chinese law to put up inflammatory placards. The Taotai replied, that the literati were not mandarin that some were retired governors and others officials. Then said I, they are all the more reprehensible, they are enlightened men, they know the law and the treaties, and they ought to know that putting up inflammatory placards is no small offense. The Taotai thought a while and then said "I dont believe these placards were put by the literati." The Interpreter then drew from his

his pocket copies of these placards and showed them to the Taotai, and pointed out that they were "The unanimous declaration of all the literati of the city." The Taotai looked confused, laughed while he read them, and declared it was bad. He also said he would speak to the Governor and have them removed, and agreed to issue a proclamation. We called on the Taotai the next day (Thursday April 20th.) and he said he had seen the Governor in relation to the placards, and the Governor said they did not concern foreigners. But I said they did, since they threatened

vengeance

vengeance on anybody who dared to sell property to foreigners and that they also referred to the foreign officials who had come to Chinanfu to negotiate about a house for the missionaries. The Taotai did not insist upon the statement that they did not concern foreigners, and when asked if he had prepared a proclamation, he denied that he promised to do so. We complained of this bad faith as on a par with the trifling conduct of the day before. I now asked the Taotai if he had a house to propose on the main street in exchange for that of

the

the missionaries, he maintained that it was impossible to get a house on the main Street, and again asked that one of the two places already offered be accepted. I again refused and said it was useless to mention those again. He then requested that the missionaries be asked to search for a house themselves. I said it was impossible for the missionaries to search for a house after the disturbance of last July, and all that had since happened, and especially in the face of these placards. To ask them to do so were ridiculous. Moreover it was the duty of the

the officials to get them a suitable house in exchange for that which they had legally acquired, and which the officials had asked them to relinquish. They were willing to conciliate the officials and the people by giving up this property as a concession, and it was but right that the officials should meet them in a friendly spirit by giving them a suitable house on the great street. They were not in Chinanfu for the purpose of trade, but were there to do good and the treaty recognized that the preaching of Christianity

was

was to exhort men to do good. The Taotai admitted that the missionaries had not acquired the property secretly, but he said they were deceived by Lui-Yu-Ting and the other middlemen who extorted a large sum for the house, and that these men were to blame for not reporting the transaction to the officials and not having the deed stamped. He quoted some extracts from the Treaty wherein he said property purchased by foreigners must have the official stamp, that it must not interfere with the "Fung Shui", and that there must be no objection on the part

part of the inhabitants. These last remarks were made by the Taotai's advisers, but as they appeared to be sanctioned by the Taotai, I told his excellency that it was useless discussing such points since they were not raised in the correspondence between the Legation and the Tsungli Yamên. That it was recognized that the property had been lawfully acquired by the missionaries, that it was bought in accordance with Custom, the neighbors signed the deed and had a feast, and the transaction was not a private one. The

Taotai

Taotai himself admitted this.
The man Liu Ya Ting and
the middleman were not in
fault; they had acted as
agents which is the custom-
ary way of purchasing prop-
erty. The missionaries had
been in quiet possession of
the property for months, and
it was known to everybody.
As to having the deed official-
ly stamped that piece of property
was "wei liang ti" and had
never had any official deed,
and none was necessary.
These questions were irrelevant
to the present discussion. I
had come to Chinanfu to
exchange

Exchange this property for other property, and I must ask N. E. if he had a suitable property on the great street to offer the missionaries. The Taotai said it was very difficult to get another property and requested me to consult with the missionaries. I said I had nothing to consult about until he offered a new house. I then left.

On Friday 22nd I called again and repeated my request, the Taotai indulged in very much the same remarks, and repeated that no other property could be found. I

said

said, then I must ask you to restore the original property to the missionaries and protect them in accordance with the Treaty. He said, if the missionaries are reinstated in the old property they cannot be protected. I said the Treaty stipulated for their protection. As the Taotai made no mention of any other property, I repeated my request for the restoration of the original property, and said that was my final word, I would see the Governor, and lest there be no mistake I would embody my final request in a despatch, adding that

I

I would ask for the removal of the placards and the issuing of a proclamation. I sent him my despatch (copy No. 5 enclosed) the next day, and called upon the Governor. At the Governor's I met the Taotai and his two advisers. I told the Governor I had come to ask him if he had any proposal to make since my negotiations with the Taotai were fruitless. The Governor went over the whole business again and finally consented to search for another property, adding that he thought it would not be possible to find

One

one. I must not forget to say that on this day all the placards were removed (except those on the Shu Yuan). 4 days after they were put up I waited until Wednesday April 26th. On this day I was informed by Mr. Murray, that some constables had come to his premises and demanded that Liu Yu Ting be delivered up. Mr. Murray refused. I sent the Interpreter to the Taotai, to inquire if they were prepared with another property, and also to ask for what reason they wished to arrest Liu Yu Ting. They promised to

leave

leave Liu Yu Ting alone, and the Taotai said he would send me a letter the same evening or the next day in regard to a new property. The next day a messenger came with the Taotai's card, saying a property had been found, but they had not decided where it was (?). I told the messenger that if I did not get a letter from the Taotai that day as promised, I should call on him the next day, to take leave.

I received no letter from the Taotai, so I wrote to him next morning to say that I should

call

call to take leave. About the time my letter was sent, I received one from the Taotai asking me to call at 3 o'clock "to look at and exchange proper-ties." On arriving at his office he told me a property had been found on the main street, and that it was all arranged but at the last moment the neighbors refused to consent, and he had nothing else to propose that day. I expressed dissatisfaction at this kind of procedure, and said I would not expose myself to any more such delay and disappointment

appointment. The Taotai said he might find another property in the course of two days. I told him if he would guarantee to do so, I would stay that time or even longer, but I could not stay any longer if I was again to be disappointed. He refused to guarantee, and held out no inducement whatever for me to remain, so I told him I would call on the Governor the day after to-morrow on other matters of important business, and that in the meantime if he found a house he might let me know. I also reminded him that I was informed

since

since the day of my arrival, that there were 11 or 5 properties for sale, on the main street, three of which would have been satisfactory. The missionaries had seen the Bill of Sale of some of them, and had shewn me one. It was useless to say the officials could not get another property, and if the officials would let the people know that they wanted a property for the missionaries, and that they might sell without fear of molestation, a house could be very easily secured. The missionaries could not be expected to purchase a property

properly themselves in the face of all this ill will and opposition. I was sorry to have to say that in spite of all their assurances and friendly disposition to settle this business satisfactorily their whole course shewed that they had no such intention.

I also spoke of the insults offered by rowdies to us in various parts of Chinanfu, the inflammatory placards, and had interpreted the letter (Inclosure No. 10) that Mr. Murray had written to me. While this was being

done

done all present broke out with laughter, and I told them it was no laughing matter to insult American citizens, and when it was brought to the knowledge of the officials, and redress was being sought at their hands, to be met with derisive laughter. I requested him to note the fact especially as I should report the proceeding to Peking.

The same day I wrote the Governor asking for an interview the next day (April 29th) as I had two important matters

matters of business to speak about (the insult to our party at Tê cho and the K'u shui pou case). Early the next morning I received an answer from the Governor saying that the Taotai had informed him he expected to see me (the Consul) that day and if I had any important business to tell it to the two deputies at the Taotais office. I replied to H. E. the Gov. as follows;

"I have this moment received
"Y. E. letter in which you say.
"I have received a communica-
"tion from the Taotai saying he
"expects you (the Consul) at
his

"his office in the forenoon to
"consult on business." As
"I have received no intimation
"from the Taotai, I beg Yé. to
"let me know what business
"it is the Taotai wishes me
"to call at his office for. The
"two important matters of
"business cannot be transacted
"with Deputies, and I have to
"request to see Y. E. in reference
"thereto."

Some minutes after
this I received a letter from
the Taotai saying "please
come to my office to see me
at 11 O'clock" To this I
replied. "I have your
letter

"letter asking me to come
"to your Gamên at 11 O'
"clock to-day. On yesterday
"you asked me to call at
"your office to look at and
"exchange property, and
"when I arrived at your Ga-
"mên you said you had
"no property to offer. As I
"do not wish to be again
"disappointed, if it be to ex-
"change property, I must
"ask you to tell me where it
"is, its location and all about
"it or I cannot come." Tautais
reply as follows: "In answer
"to your letter I beg to say that
"after negotiating with the
"Liberati

"literati many days in regard
"to a property, a place was
"found but unfortunately the
"neighbors and proprietors
"were all unwilling so it
"was dropped; outside of
"this there is really no other
"property belonging to the
"people about which we can
"negotiate. But there is a
"Government building in the
"Tung Hsien Lane 東縣巷 -
"known as Ko Tzu Kung So -
"刻字公所 It is a large
"place and the two front
"rooms can be given, but
"the rear of the building
is the place for reading the

Examination

"examination papers and
"cannot be moved. If you
"think this will answer, please
"come to my office to talk it over."
This building is situated on
a lane branching off the main
Street, and is just opposite the
"Chung Cho Kung So" which the
missionaries had refused as
being in an unsuitable loc-
ation. They told me they would
not accept this place under any
circumstances.

As the Governor had answer-
ed my letter that he would
see me at 4 O'clock and as
I expected to meet the Taotai
there, I thought it unnecess-
ary

any to answer the Taotai's
letter. I must not forget to
say that the Governor, first
answered my letter by telling
my messenger he would see
me at 10 O'clock. I refused
to receive such a message
and sent my man back for
an answer which was accord-
ed. At the Governor's Ya-
mên I met the Taotai and
the two Deputies, and told
the Governor I had asked
for an interview to speak
about two important matters;
the first was the "K'u shui pu
case". I narrated the facts
as stated in Mr. Smith's letter

(No

(No. 6 herewith enclosed).
The Governor took up the case very earnestly and repeatedly asked questions to inform himself thoroughly of it. He said it was very important from a Chinese stand point and that it must be thoroughly investigated. he asked that the parties interested (Chinese) be sent to Chinanfu to present petitions for him to proceed upon. I replied that the only proof I had now was hearsay evidence, that the parties who presented statements to me had not seen the constables themselves, but that I proposed on my return to

investigate

investigate the case myself. If I found that such a rumour had been started, I should request the parties to make their petitions, and take up the case myself on our side.

The next matter was the conduct of the Sê cho official and the insult offered to our party. I went on to recite the uncivil (Memo. No. 7) conduct of Chou Official, and the Governor tried to find a way of excusing him; he said it was not always customary to come out to receive public officers, and the shuffling evasive conduct of the officer he thought was

was due to inadvertence etc. -
When I referred to our being in-
sulted and reviled at the gate of
that Officials Yamên, he said he
could not belive we had been
called "Yang kweitsz" "foreign
devils". He assured him we
had. He thought the people
would not dare to do so.
(The assault on us. only 3 days
after at Tê cho, I belive will
be sufficient to corroborate our
statement)

As to punishing the offenders
since the Sub Prefect maintained
it was difficult to arrest the men,
and had promised to issue a
proclamation (Enclosure No. 8.).

I

I consented not to insist on anybody being punished, but suggested that the proclamation be differently worded. I had prepared the draft of a proclamation which I submitted to the Governor (Inclosure No. 9.)

I next called attention to Mr. Murray's letter to me (Inclosure No. 10). I told him I had seen, and heard enough with my own ears to convince me that there was a feeling of unfriendliness towards foreigners in Chinanfu which required to be dispelled; that the posting of inflammatory placards tended greatly to aggravate this

feeling

feeling and stir up and encourage the ill disposed; that on every occasion of my going out of doors I heard cries of "Yang Kweitsz" accompanied by hoots and cries of "ta" (beat) and on two occasions I had been pelted with stones by some rowdies while riding near the walls of the city. Under these circumstances I felt bound to bring these facts to the Governor's notice and to ask him to issue a proclamation to allay popular feeling. The Governor first assented but on the advice of the Deputies, retracted his promise and

said

said it was not quite necessary
to issue a proclamation as no
disturbance had taken place;
but that if the exchange of
properties was effected he would
issue one "to put matters all
straight" as he said. I repeat-
ed my request but he made no
definite promise but said the
Taotai might issue a proclam-
ation, who also said he would
do so when the exchange of
properties was satisfactorily
adjusted. My next request was
that Lui Yu Ting and the
middlemen be no further molest-
ed or persecuted because of
their connection with the
purchase

purchase of property for the missionaries. The Governor maintained that these people were deserving of the severest punishment, but he made it a condition that if the exchange of property was satisfactorily adjusted now, they should be left alone. I reserved for the last part of the interview, the proposal of a house received from the Taotai a few hours before, although he had frequently interrupted me during the interview, and tried to find out how I received it. I said to the Governor I had been in Chuanfu for 15 days, had been

trifled

trifled with and put off, and on the eve of my departure a house was proposed which was not on the main street, but situated exactly like the houses which had already been refused. I regretted very much to say that the whole course of the authorities during the negotiations betrayed an entire indisposition on their part to act fairly, and that I had no other course but to receive from Chinanfu and report the whole case to my Minister at Peking.

The Taotai having requested me to give a written answer to his letter I sent him the following.

lowing. "In answer to
"your letter received yesterday,
"I beg to say that I regret that
"the house which you proposed is
"not satisfactory. With usual
"compliments."

Before concluding this al-
ready lengthy report, it might
be well for me to say, that in all
the negotiations the officials seem-
ed to be under the influence
and control of the literati; and
in speaking of the notes of
last July, the Taotai said, if
they had undertaken their
punishment, the officials would
all have had to run away
from

from the city.

I was also informed while in Chinanfu, that Li-shih-ee the former Governor of Honan, who at that place was so hostile to foreigners, was now the leader of the literati in Chinanfu, and that the present Governor of Shantung had been one of his former pupils.

The case is written up with such detail, that comment is made unnecessary. It would however have been a matter of personal gratification, if the business could have been satisfactorily adjusted by me; but so far as the establishment

of

of the rights of foreigners at Chinanfu, and the permanent establishment of our missionary work at that place is concerned, if the proper course is pursued by our Government, the case stands in much better position than it did before my visit, and though the results may be delayed for a time, when obtained will be far more lasting and enduring.

On the morning of our departure from Chinanfu the Governor sent one of his Ying chai's and a Lieutenant with his card to inform us that he had

placed

placed an escort at our disposal consisting of the Lieutenant and four mounted men, who would conduct us beyond the frontier of Shantung. Under ordinary circumstances and with the knowledge that it was the right of foreigners whether officials or others, to travel in China without being escorted, I would have felt it my duty to decline this offer — But as the men who came with the message spoke so frankly of the Governor's friendly intentions, and the fact that the men were all picked soldiers, presenting an exceedingly neat appearance, all wearing white buttons,

I

I thought it but right to show that I appreciated the attention, and I accordingly thanked the Governor and sent him our cards. It was my intention to let the men go outside of the city and a short distance beyond, but when asked to return they said their orders were to accompany us the whole ways and they earnestly requested to be allowed to go with us at least as far as Fê cho. I agreed to let them come, and subsequent events showed their presence was of great benefit to us in Fê cho.

I

I am, Sir

Yrs Yrs Yrs

(Signed) Jas. G. Zuck:

Copy.

Mr. Murray to Mr. Luck.

Tsinanfu, April. 21st, 1882.

Dear Sir,

As you are the represent-
ative of the U. S. Government
now transacting official business
in this city, I voluntarily make
the following statement in
regard to abusive and threaten-
ing language and actions on
the part of the people of this place.

I have lived here several
years, endeavoring to promote peace
and harmony among the people;
have carefully avoided giving
offence and many cases of
abuse and threatening have
been passed by unnoticed and
unrebuked. There is however
a limit to all such forbearance.
and though I have never made
open complaint to the local author-
ities. I feel it my duty to inform

you

you of certain abuses which have lately come under my observation. They will serve as examples of the past several years. To-day - April 21st 3rd moon 4th day - I met the Governor on the main street a little East of the Tu Ti miu K'ou. Several persons in the procession immediately in front of the mounted horsemen used violent language - and distinctly and boldly shouted "Kill him" "Kill him".-

Again, about a month ago, as I was coming out of our preaching chapel, a man in the procession of the Governor, who was going west, nearly struck me on the head with a heavy pole or board he was carrying. I leave it on record that I believe the action was intentional - it was also -

ac-

accompanied with abusive language. The two persons referred to above were not boys but men.

In October last (End of 8th moon) the police magistrate ("Chih Hsien" 知縣 Kung pän ngao) ridiculed the language and import of my passport signed at Peking by Mr Angell and said the people in the south suburb were sharpening their knives, "mo tao" against us - On leaving, the crowd hissed and yelled at me within the sight and hearing of the officer.

The card bearers of small mandarins were men - not children, connected with respectable Kung Kwans and shops - have frequently been insolent to myself and family. Small stones and dirt have been hurled at me while preaching to a crowd of quiet listeners.

pe

We claim that all such actions are contrary to the laws of the land — to the proclamation of the Governor, Kwang Hsü - 7th year, 6th moon. 20th day - and to the Treaty between the two nations.

I make these statements without malice or ill feeling.

Respectfully Yours

(Signed) John T. Murray.

Copy

A Public Notification.

Through more than two hundred years of the present Dynasty all classes of men have without exception been the recipients of the great benevolence and profound grace of our progenitors.

But there are persons who are ignorant of the heavenly principles, insane, and who are as evil minded as the owl cat. Of this class are Chiao T'ung heing, Tiao Tz din Yü ling, Wanglanting and others who conspired with the owner of the property to insult the neighbors by fraudulently writing an exorbitant price for certain premises next west of the Do yuan Shu Yuan, and selling them to Din Yü ling, who the same night sold the premises to

foreigners

foreigners for a preaching chapel. It happened that a member of the literary class who lived back of these premises discovered these facts and would not sign the papers of transfer. In July of last year this worthless wretch Wang-Danting who had fradulently sold these premises without a deed had the impudence to bring workman to tear down and reconstruct the buildings. The literati hearing of this were filled with indignation and were aroused to reassert the ancient laws of the Empire. We were angry enough to eat his flesh raw. We went to the foreigners and made proper enquiries of them. And the officials seized and put seals upon the premises of Chiao Jung-heing and

placed

placed Lin-Yü ling, Tiao Sz and others in confinement.

When this was known the in general and deep distrust of all was dissipated and the business was understood to be settled.

But now foreign deputies have come here to discuss this business with the local authorities, and to have Tiao Sz seek out and buy premises for the foreigners. If Tiao Sz and his associates trusting to the foreign protection dares to do this evil thing, and, insensible to shame purchases premises again for the foreigners, and the officials cannot exercise their authority and punish him, we the literati will call the people together secretly and form a band as was the custom in the time of Hsien Feng in which all the males on every street be-

tween

tween the ages of 20. and 60. shall combine together. They will destroy the buildings purchased, seize all the members of the families concerned in the purchase and eat their flesh. Any persons who refuse to join in this combination are beasts like Tiao Sz and not one of them shall be left alive.

Chinanfu. April, 18th., 1882.

Posted by the literati and people of China.

Copy.

Notification.

The gentry, literati, and merchants of the province have learned that foreigners have come to Shantung in an official capacity in regard to the house sold by Chiao Jung Hsing. This is the house about which a general feeling of public indignation was roused last year. The house was put under seal by the officials, and it is certain that it cannot be given back to the foreigners; it is needless discussing such a proposition.

There may be some buildings belonging to the Government, that do not interfere with the "Feng shui" nor the residences of the people, and which the Government might give to the foreigners to compromise the case. Not so - property belonging to any of the people - If there

there be any private sale of such property by fellows who regardless of future trouble aim at getting large profits they, like Tiao Ssz and the others, shall be regarded as worse than brute beasts. And if the officials cannot punish them for the people, the best thing we can do is to join together at the sound of a signal and proceed ourselves to destroy the house of the offender, punish all his family, and bind them and send them to the officials. Let those who are of the same mind as ourselves fear no shame, nor even death; and if Tiao Ssz, and the fellow who was released before him, (Liu yu Ling) - dare to create any more such trouble, they shall surely not get off as easily as they did before, but shall have the direst punishment inflicted -

inflicted on them. The fore-
going is respectfully intended as
the unanimous declaration of
the literati and merchants of
the city.

Chi-nan-fu (not dated) posted
about the 19th April.-

A Public Notification

We all know that the remedy for avoiding the queue cutting evil which was introduced from Honan is to chalk the figure of the cross on the inside and outside of one's entrance door. Now if this figure of the cross can act as a charm to keep off this corrupt evil, it must have been invented by foreigners (or foreign devils) to do harm to China. Why did Jesus die upon the Cross? Does it not show plainly that the doctrine of the Cross is a flashy doctrine? Some foreigners (or foreign devils) have recently come here as ambassadors in reference to the Shu Yuan house business. It is intended that the corrupt doctrine shall be carried all over the province of Shantung, the harm that will result to the inhabitants will be very

very great. The Saint (Confucius) has said "Those who meddle with corrupt doctrines will "bring harm on themselves". This (the Cross) is a great deal more vicious than the doctrines (referred to by the Saint). Let us all do our utmost to resist this evil and preserve our Celestial Dynasty and our upright doctrines from ruin. Let everybody chalk the figures of the cross in every street and in every place so as to cut off its progress. Let them (the preachers of this doctrine) be killed and let us guard against their corruptions.

Readers of the above will please take copies and send them around so as to let it be known all over the province.

Posted at Chinanfu about the 20th April 1882.

Proclamation.

The literati and people of the city unite in making the following: ——

It has just been rumoured that Shao Ting son of the Hsiao family has sold a house opposite the Prefect's Yamen to the foreigners and that the original deed has been given up; that he has done this in expectation of making a good profit. We hope, however, that this rumour is unfounded for the Hsiao family is one of great official fame and a descendent of theirs could scarcely be guilty of such conduct. But if this be true we cannot help

Passing

classing him with Liao Oz, for it is damaging the good name of his ancestors. And not only will he deserve to be reprobated by his countrymen, but he will be undeserving his illustrious desent. We first issue this notification, meanwhile careful enquiry shall be made, and if the rumour is true, the ancestral tablet of his family will be removed from the Temple of the Northis, and we shall all go to reason the matter with him.

Chinanfu (not dated) - Posted about the April, 1882.

Dispatch No. 106.
Enclosure 2.

Messrs Murray and Hunter to Mr. Holcombe.

22/1882. May 1st, 1882.

Sir:—

We again address you to acknowledge the presence and services of Mr. Consul Zucker and Mr. Taylor (Interpreter) in Chi nan fu. They spent fifteen days in this city, and during this time were in constant consultation with the officials with reference to our affairs; but the case as yet remains unsettled. We wish to put on record our appreciation of the patience, firmness, and ability with which their negotiations were conducted; and in behalf of the American Presbyterian Mission to thank you as our Minister for their presence and aid, as well as for the fact that their coming has been without expense to the Mission treasury. Although the case has not been brought to a successful

conclusion

conclusion, yet the honor of American citizens in China has been in a measure vindicated, and there is less likelihood of a recurrence of those disgraceful scenes that marked the early history of these proceedings.

We regard it as of the highest importance to fully represent the present state of affairs in this city, which not only made it impossible for Consul Zuck to settle this case, but which must be constantly kept in mind in the further prosecution thereof.

1st. There is a large and influential body of literati in this city, consisting of students, expectant of office, and retired officials, led or directed by a former Governor of Honan Li Ching-Ao (alias Li-Shih-Yo), who are resolutely determined, that we shall neither have a suitable location given us, nor our former property returned. To them the

officials

officials have constantly referred this case, and thus far their will has been supreme. It was their decision that no concessions should be made during the presence of a foreign Ambassador, even though this should involve the granting of greater concessions hereafter, lest the people should perceive the influence of foreign power. We are disposed to admit the influence of this class of persons in this city, and confess that the case has not been without difficulties in the hands of the officials here. But these difficulties have been magnified and increased by the weakness and inefficiency of the local officers. What was formerly an outburst of resentment among a few students in the Shen Yuan, has by the weak and trifling policy of the Governor of Shantung become a widespread dissatisfaction to the presence of foreigners

in

in this city. The main difficulties that now involve the case are directly chargeable to the fact that early and efficient measures were not taken to preserve peace among the people.

2nd The attitude of the officials in this case has led the people universally to believe that to sell property to foreigners is contrary to law, and that all offenders will be rigorously dealt with by the authorities. This has not only made it impossible to buy property, but also to rent that which is imperatively demanded by our present necessities. No one can be found who is even willing to rent a property for a hospital where the sick and dying of their own people can be cared for and cured. The pressure of official influence has made it intolerable for a foreigner to live here, except upon

terms

terms to which no upright person should be subjected. The present condition of affairs here is a disgrace to the nation that teaches a system of high morals and justice between man and man.

We therefore represent the necessity of the Chinese officials addressing themselves to the rectification of this most undesirable condition of affairs. They should first instruct the people, that we are here by permission of the Government, that we have a right to buy property, build houses, and reside in the interior. The Governor should issue a proclamation setting forth our rights and tending to promote peace and harmony among the people as the treaty provides. The Chinese Government should instruct Li Shih Yok to preserve the peace, and cease to be a fomenter of strife.

If

If these things were executed in good faith we might hope for a return of good feeling. We wish to live at peace among the people, and to have respect for the customs of the country. We therefore beg you, our Minister, to make such a presentation of our case to the Tsung li yamen as will enable them to see the necessity of dealing immediately, energetically and justly in this case. We have sustained injury at the hands of a Chinese mob; our property has been forcibly taken from us; no other has been given in its stead; and we have no promise that any other will be given.

We refer to you for direction and advice and await your reply.

Respectfully yours.

(signed) Stephen A. Hunter.

John Murray.

Despatch No. 106.
Enclosure 3.

Mr. Holcombe to Mr. Zuck.

No. 19. May, 13th, 1882.

Sir:-

I have the honor to acknowledge the receipt of your despatch number 171. in report of your action in the so called "Chimanfu case". While it is to be regretted that you were unable to bring this business to a satisfactory issue, it is manifest that your negotiations were conducted with great care and discretion and that the failure of the mission entrusted to you is due in

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no sense to any errors on your part. Please accept the thanks of this Legation for the faithfulness and zeal shewn in the management of this business.

I must request that in future you will avoid preparing reports or despatches to this Legation upon "legal "cap paper." All such documents are required to be bound up in our files. And you will see from this fact that in your report on the "Chinanfu case" it must be recopied here for the files, or each alternate

page

page will be "wrong end up"
in the bound volume.

I am Sir

(Signed) Chester Holcombe.

Acted July 22. 82
Cridler

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No. 107. One Enclosure.

Legation of the United States.

Peking, May 20th 1882.

DEPARTMENT OF STATE
JUL 19 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Withdrawal of Chinese Minister from Washington.

Synopsis.

Forwards a newspaper item upon this subject. Mr. Holcombe discredits the rumor. Chinese Government manifests no uneasiness or unpleasant feeling growing out of recent Congressional action on the Chinese immigration question.



No. 107. One Enclosure.

Legation of the United States.

Peking, May 20th, 1885.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have the honor to enclose herewith for your perusal a news item and an editorial cut from the "Shanghai Courier" in regard to certain action which the Chinese Minister at Washington is said to have taken. 1/107

I have given no credence whatever to this piece of information, as I believe that the story has grown out of the temporary transfer of the Legation to Madrid, to which Court the Minister is also accredited. Still the report has provoked much excitement and many curious questions

questions here among the Diplomatic & Representatives of other Powers, and American citizens.

The Ministers of the Foreign Office are doubtless well informed as to what has transpired at Washington, and the action of our Government in regard to Chinese immigration. I have watched the Ministers rather closely and have failed to discover any signs of uneasiness because of the recent legislative action taken by Congress on the "Chinese question" of which full details have been given in the newspaper press, nor any diminution in the feeling of exceeding kindliness which they profess to have for the Government and people of the United States.

The subject mentioned has however not been discussed, either directly or indirectly, between the Foreign Office and

and myself.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Newspaper extract - "Shanghai Courier" - May 10th. 1882.

The Shanghai Courier.

TUESDAY, 16TH MAY, 1882.

Despatch No. 107.
Enclosure.

Daily Notes.

A TELEGRAM has been received that the Minister for China at Washington has hauled down his flag. This, we presume is in consequence of the action of the United States authorities in regard to the Chinese immigration question. The fact of the Minister hauling down his flag is one of moment, as it indicates that he will leave the country and the action may be taken as a sign of excessively strained relationsbetween China and the United States.

The Shanghai Courier.

WEDNESDAY, 17TH MAY, 1882.

THE AMERICAN-CHINESE CRISIS.

LAST evening we published a telegram which had been received to the effect that the Minister for China at Washington had hauled down his flag. This, as we stated at the time of publication, was probably in consequence of the action taken by the United States Government in respect to the Chinese Immigration question. Having been received by some high Chinese officials there can be no doubt as to the truth of the telegram; but it must be said that the information it contains has not been ratified by telegraphic intelligence received at the United States Consulate, or the Customs. If the Chinese Minister has taken this step, or what is more likely, threatens to do so, the proceeding would be serious to American interests in China. That the minister has reason for taking this step is without doubt when we conside the precipitate and arbitrary action that Congress were forced to adopt by the clamours of the Anti-Chinese section. The meaning of this hauling down of the flag is clear. It is in this case tantamount to a declaration of war, not a struggle of brute force between the two nations, but an announcement of China's intention to pursue another system of that pacific war which a certain type of American orators make so much of. To our minds it would signify the adoption of retaliatory measures. A large party of the American people in their rage have said that no Chinese shall immigrate to the United States after a certain date for a certain period. To this China can reply by taking such action as shall prohibit American citizens from resorting to Chinese ports for purposes of trade, until the odious enactment is repealed. She could go farther and sever herself entirely from all relations with the United States, and in that case the question is, who would be the loser? Undoubtedly they would be that class of the American people who do business with China, who are competing with other nations for a share in her trade and those Americans who at present have large interests in China. China can, in as far as com-

merce is concerned, do without American trade though she could not dispense with that of other large European countries. And if the relations between the two nations were suspended, as they would be if China adopted retaliatory measures, America would be greatly the loser. If what is stated in the telegram referred to has really happened then the case stands serious enough for a large number of commercial Americans.

The Bill that has brought matters to this pass is inconsistent with the reciprocity principle of the treaties existing between China and the United States; it is repugnant to the general spirit of the American constitution; and it is in conflict with the latest constitutional amendments which were fought for fifteen years ago. The first of the latter is that the States were forbidden to exclude any man from the franchise on account of "race, colour," or in other words, on account of any defects which he could not possibly cure. Then a second principle was that the "fundamental rights of men dwelling in the United States" were not to be left at the mercy of local passion or prejudice. The bill "regulating," or rather prohibiting for twenty years, Chinese immigration does not exclude Chinese because they are ignorant, or poor, or lazy or turbulent; but because they are Mongolians and are competing with white labourers. There is no prejudice against them among the great bulk of the American people, but they are only disliked by 1,009,390 whites of the Pacific slope. The *Nation* puts the matter clearly when it sums up the Bill in these words. "It excludes Chinamen, not because they are foreigners, but because they are Chinamen. It is therefore legislation against a particular race, and for this there is no example among civilized nations in recent days, except the legislation against the Jews, which still disgraces the statute-book of Russia, and until very recently disgraced the statute-book of several other Christian nations. In passing this bill, therefore, we are not keeping America for Americans, we are discriminating against a whole category of men on account of race or color. We are thus cutting from under our feet the ground on which we forced the Fifteenth Amendment on the adoption of the South. For if we once admit that race or color can in American polity disqualify any man, native or foreign, for any privilege we have to bestow, we admit that the enfranchisement of the negro was justifiable on grounds of expediency."

The most peculiar feature about the Bill is that, though nominally passed in execution of the late treaty with China it is really a violation of it. The treaty provides for the regulation of immigration, while this virtually prohibits it altogether, by shutting out the class of labourers which contains almost all the immigration which there is, or likely to be. The

treaty of 1880 provides that the United States Government "may regulate, limit, or suspend the coming or residence" of Chinese labourers, but "may not absolutely prohibit it." The Bill prohibits this immigration for twenty-years, dating from 17th November. One of the grounds on which President ARTHUR vetoed the bill was that it violated the treaty of 1880. The Bill sought to suspend immigration for twenty years, and the President gave it as an opinion that this was not a reasonable time, being nearly a generation

President ARTHUR's action in vetoing the Bill shows that he has not been lead away by the inflammatory nonsense of demagogues; but has viewed the matter in a calm, statesmanlike manner and has acted accordingly. Though he has been treated with contumely by the rabid multitude of the Pacific Coast, his action in vetoing such an inconsistent, high handed, and unjust measure as this cannot but command the approbation of right thinking and the better class of American people. Subsequently when the Bill was modified in respect to the time of the prohibition and in the other passages objected to by the President, the veto was removed. But these modifications do not seem to satisfy the Chinese minister, who probably wishes the measure to be thrown out in its entirety. If the measure had been rejected altogether it would only have deserved its fate, for we do not hold with any compromise or halting between two opinions in this matter; both of which things will only lead to the ill results we have indicated in the commencement of this article.

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DEPARTMENT OF STATE JUL 18 1882 RECEIVED

Confidential.

No. 108. One Enclosure.

Legation of the United States.

Peking, May 22nd, 1882.

Chester Holcombe to the Secretary of State.

Subject.

Commodore Shufeldt on Chinese matters.

Synopsis.

Forwards copy of a letter reprinted at Hongkong and Shanghai which has excited much angry feeling among high Chinese officials. Mr. Holcombe criticizes and controverts some statements made in the letter.

Confidential

No. 108. One Enclosure.

Legation of the United States.

Peking, May 22nd, 1882,

Honorable F. T. Frelinghuysen

Secretary of State,

Sir:—

I have the honor to enclose

1/108 herewith a printed copy of "an open "letter to Hon. A. A. Sargent—" written by Commodore Shufeldt and recently reprinted at Hongkong and Shanghai.

It is not within my province or desire to pass any criticism upon the motive or state of mind which prompted the preparation of this letter or which led its author to consent to its being made public. Indeed I should not feel called upon to address the

Department

Department at all upon the subject were it not that the letter has come to the knowledge of the Ministers of the Foreign Office here and the Viceroy at Tientsin where it has very naturally aroused much unpleasant and even angry feeling towards its author and towards the country of which he is both a Diplomatic and a Naval Representative.

It is most fortunate that the letter was not made public here until after Commodore Shufeldt's departure for Corea. For had it come to the knowledge of the Chinese Government earlier, it would in all probability have resulted in the withdrawal of China from her position as mediator in the Corean negotiations, and made our efforts to execute a treaty fruitless for the present, at least with the author of this letter as our Envoy.

Without attempting an exhaustive review

review of the contents of the document, I must at least say that, in my opinion, one half of it is composed of truths which had better not have been made public by an officer of our Government, while the other half is made up of erroneous impressions.

That part of it which relates to the Chinese naval and military organization is substantially correct, though, in my opinion, the Commodore exaggerates the difficulties which the provincial peculiarities have placed in the way of a consolidated and efficient army and navy.

The incidental remarks which the letter contains in reference to Mr. Hart, are, in my opinion, neither just as regards either that gentleman, the Customs Service as a whole, or the Government

Government of China.

Nor is it true in any sense of the term that the Viceroy Li is "the absolute and despotic ruler of 400,000,000 of people." Otherwise the portrait of that distinguished officer is fairly correct. No criticism is needed of the language with which, in this connection, the Commodore characterizes the Empress Regent of China.

Passing from these points, there are three or four sweeping assertions in the letter which ought not to go unnoticed.

First among these is the declaration that "the only appeal or argument (appreciated by the Chinese) is that of force," and the natural sequence which is derived from this false premise, that the policy of the United States towards China — "a policy of moral suasion" — is a failure.

Both

Both of these assumptions are entirely untenable. The whole drift and tendency of the Chinese mind is opposed to war and demonstrations of force. As "Commodore Shufeldt himself remarks, very correctly: "China has "taught her people to believe that there "is something derogatory to honor in the "character of a soldier; that the road to "true glory lies through the fields of "literature, and to emolument by the "paths of commerce;" and he might have added with entire truth that there is no country on earth in which the role of a "peacemaker" is held in such respect and honor between man and man, and so constantly and universally practised, as in China. It by no means follows that, because we were obliged to open this country to foreign intercourse with the edge of the sword forty years ago

age, nothing but the same weapon will serve any valuable purpose here today. Of all the powers maintaining treaty relations with China, only two have secured those relations by war, and, as a matter of fact, this Government looks with peculiar suspicion and distrust upon those same two powers, because of the force employed at the inception of their relations. It is a remark constantly made by the highest officers of the Chinese Government that they repose particular trust and confidence in the United States, and have no distrust of us, because our relations have always been those of peace and we have sought and gained what we wanted by peaceful arguments and friendly persuasion.

Nor is a practical proof and illustration of the truth of this assertion wanting. In 1880, the United States sent

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a Commission to this Empire to
negotiate in regard to the vexed and
embarrassing question of Chinese
immigration. When one bears in mind
the intense national pride of the
Chinese, it is easy to see that few questions
would have been so likely to stir up
unfriendly feeling and provoke determined
opposition on the part of the Government
of China as that with which the Commissioners
were intrusted. The entire foreign community
of China, including all the Diplomatic
Representatives in Peking, prophesied
utter failure of the Commission. Yet the
Commission was in Peking only 60 days,
during which time nothing but kind words
and friendly arguments were used, and
all that could in reason be sought was
granted, and granted as cordially and
gracefully as could have been desired.
And nothing on our part was given in

exchange

exchange for that which we sought. Our forbearance, our "policy of moral suasion", stood us in good stead and secured what, in my opinion, would not have been granted to any other Power without some substantial equivalent. And in this negotiation the United States gained the end desired, mainly because, without arrogant demonstration of force and avoiding carefully any appearance of a disposition to trifle unnecessarily with existing treaty stipulations, it sent its Commission to consult in good faith and in a friendly spirit with the Chinese Government, thus recognizing, as no application of force does recognize, the right of China to an equal voice in the business in hand.

It is of course true that England has, commercially, the largest foreign influence in this Empire. But this is the result of certain other factors of the

situation

situation here with which the Department is entirely familiar and has nothing to do with the question at issue.

But it is most emphatically not true that "diplomatically also England rules China." Her war and opium policy in the past and present is a serious weight upon her diplomatic influence, and I question whether there are not at least three Powers now represented in Peking any one of which has a greater influence with China than Great Britain.

At least, in my opinion, the United States has no reason to question the wisdom of its policy of "moral suasion" with this Empire, or to shrink from any comparison between its diplomatic influence here and that of other foreign Powers.

A policy of force if persisted in would result in the inevitable dismemberment of China, which certainly is the last thing

we

we could desire. A firm, persistent, yet
kindly policy of "moral suasion", requires
much patience and forbearance, and its
results are perhaps tardy in development,
yet they are permanent and far reaching
and quite justify the means by which
they are secured.

The second assumption which
need be noticed is the following:- "But
'it is to our form of Government that
'China is most antagonistic". The
Commodore illustrates this assertion by
referring to the recall of the Chinese
students, the treatment which they are
receiving here, and adds- "today they
'are the victims of Oriental hatred to
"popular institutions, and the innocent
"cause of dislike on the part of the
"mandarins for everything American".

Here the Commodore makes an
assertion which is entirely erroneous

and

and illustrates it by a fact which has no connection therewith. It is well known here that the recall of the Chinese students grew out of an unfortunate jealousy on the part of the late senior Minister to the United States towards his junior Yung-Wing; that the Foreign Office and the Viceroy Li were adverse to the recall, but could not prevent it at the moment and are now concerting measures to return a portion of them to the United States.

As to any peculiar antagonism felt by China towards our form of Government, I am thoroughly convinced that such a sentiment has, in point of fact, no existence. On the contrary the system of Government in China has very many and very close points of resemblance to our own, and these points are well known and often pleasantly commented on by the high Chinese officials.

The

The Government of China today is more nearly a "government of the people, by the people and for the people" than many systems upon the continent of Europe. This may seem an extravagant statement but careful examination and comparison will bear it fully out.

The last general statement made by Commodore Shufeldt, requiring notice is that in which he declares that there is in China "an increasing and undying "feeling of hostility to all foreigners of "every nationality."

If a residence of thirteen years in this Empire, coupled with a knowledge of the language, a constant intercourse with all classes of the people in all parts of the country, may count for anything, then I may be allowed to assert that the opposite of this is true, and that the old feeling of hostility

to

to foreigners is slowly but surely disappearing as the two classes come into more intimate association and mutual acquaintance each with the other.

Having written thus in criticism of some of the more important statements made by Commodore Shufeldt, I may be allowed to say in conclusion, that I am in no sense a lover of the Chinese, or blind to the glaring defects in their individual and national character. Their officials are intensely proud, inclined to be overbearing, mendacious as a rule and not as an exception, narrow minded and suspicious to an extreme degree, and naturally given to tortuous and deceptive lines of conduct rather than to such as become persons called upon to bear grave responsibilities. Their habits of procrastination and evasion are calculated to test the patience and exasperate those who are accustomed to prompt and straightforward

straightforward dealing. A long patience, a cool brain, indomitable persistency and imperturbable good nature are necessary qualifications to the success of any person who may come into official relations with them.

I need only repeat that this despatch is intended to be in no sense a criticism upon Commodore Shufeldt's action in giving his letter to the public, but only upon some erroneous conclusions to which he has come.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Printed letter by Commodore Shufeldt.

The
North-China Daily News.

IMPARTIAL, NOT NEUTRAL.

SHANGHAI, MAY 9, 1882.

Despatch No. 108.
Inclosure 6

[AN OPEN LETTER TO THE HON. A. A. SARGENT, OF CALIFORNIA.]

Tientsin, China, 1st January, 1882.

MY DEAR SIR,—You know me well enough to understand that the current of my sympathies for the human race has always been in favour of the "down-trodden" people of the earth. The African or the Asiatic, whether at home or as slave or emigrant upon foreign shores, has always seemed to me more or less the victim of oppression, and I have fired my indignation upon the oppressor with a force never equal to my zeal and with a sincerity never greater than my convictions. I have, indeed, rarely analysed the causes, but always warmed up over the effects; in other words, I have all my life suffered under a sort of sentimentalism—an unquestioning sympathy for the "under dog."

With reference to the Eastern nations, I have charged foreigners dwelling therein with prejudice of race, with arrogance of power, with ignorance of customs, with contempt of religious faith—never crediting them with forbearance, charity or sympathy for an inferior people. To me, the merchant seemed to force his wares and the missionary his creed, upon a passive and long suffering community.

There is an underlying truth in these sentiments, but as a practical idea the view is inapplicable to the relations, both commercial and political which connect Asia with Europe or America.

Six months residence in this city, the political centre of the Chinese Government, and an intimacy rather exceptional with the ruling element, has convinced me that deceit and untruthfulness pervade all intercourse with foreigners; that an ineradicable hatred exists, and that any appeal across this barrier, either of sympathy or gratitude, is utterly idle. The only appeal or argument appreciated is that of *force*. If justice is done to these people, it must be for the sake of itself, not expecting appreciation. If justice is exacted, it must be unrelentingly. All sympathy will be construed into weakness, all pity into fear. Above all things necessary, is tenacity of national dignity. The least condescension fosters conceit and provokes insolence.

It is quite true, however, that Europe only permits or encourages "Western civilization" in China to the extent of subordination. It fosters the pretext of of strength, sells guns and ships, knowing that it is not in the genius of the Chinese to handle them; that in time of war they simply become easy prizes to the first European enemy. But commercially, England alone controls China. Eighty-six per cent. of the foreign trade is English. The Imperial Customs, which collects all duties upon foreign imports, is managed by an English Inspector-General. Under him is a corps of foreign officials, which controls the Custom Houses, commands the gun-boats and revenue cruisers and maintains the lighthouse system. In fact, almost everything which filters into China from the outside world goes through this strange excrescence upon its body politic. Diplomaticaly, also, England rules China. Recognizing the hard logic of facts, she has infused a wholesome dread of her power by always following the word with the blow. The murder of Margary, for instance, on the westernmost confines of the country, outside of all visible protection, among an insubordinate people, was avenged on the demand. Sir Thomas Wade, H.B.M.'s Minister, said, "Do this, or I will haul down my flag." No squirming could evade the command; no lies deceive. He insisted upon the trial of the murderers in the presence of a British officer, and it was done.

I do not go into the equity of this case, or the zeal and responsibility of the Peking Government, but I am convinced that acting with such decision always when right, and even sometimes when wrong, is the only means by which foreigners can live in China with security to life and property. It is only a question between this and the right to live here at all.

But the United States, standing, or endeavouring to stand, upon a higher plane than that of mere physical force, pursues in China a policy of moral suasion, which neither convinces nor converts the Chinaman to the doctrines of a common brotherhood of men or nation—for, high as the heavens are above the earth, so high is his conceit, as deep as the waters of the sea is the measure of his contempt for the "outside barbarian."

Any high moral ground in the field of diplomacy—any appeal to the motives which ordinarily govern nations—indeed, any argument unaccompanied by the outward and visible sign of force, is used only for the purpose of delay, which in the end is equivalent to victory. Yet the United States has interests in China destined in the future to be greater than those of any other nation—possessing as we do the Pacific Ocean as a common highway—geographically with reference to the continents, politically with reference to Europe, and commercially with reference to each other. These interests should be reciprocal, but China does not care to realise this fact—does not desire any identity of interests. She would to-day, if she could, exclude every article of foreign manufacture from her shores. She is slowly learning the Western arts, in order that by means of them she may some time not only exclude foreign goods, but the foreigner himself from the country. "China for the Chinese," is more than ever the motto of every Mandarin in the Empire. Our policy, therefore, should be positive, and governed, to the extent of moral law, by American interests alone, and followed up by the argument which they understand—the argument of force, pressure, not persuasion.

Li Hung-chang, Senior Guardian of the Emperor, Grand Secretary, Commander-in-Chief of eighteen provinces, Commissioner of Coast Defense, etc., sits in his viceregal chair at Tientsin, the gate of the capital of China, regulates the ingress and the egress of foreign diplomats to the Court, and defines the foreign and dictates the domestic policy of the country. Li Hung-chang is, therefore, the absolute and despotic ruler of 400,000,000 of people. Yet such is the system of this Government that he lives upon the mere breath of the Empress, an ignorant, capricious and immoral woman. A word from her and his power would vanish with the morning mist, and his courtiers would shrink from him as a man with the plague.

He is fifty-nine years of age, six feet two inches in stature, has a cold, clear, cruel eye, and an imperious manner. He is a thorough Oriental and an intense Chinaman. This implies contempt for Western nations and hatred for all foreigners. Li Hung-chang, the Viceroy of Chihli, is the Bismarck of the East. He keeps together an incongruous Empire and an effete dynasty by the repressive force of an indomitable will. He suppresses rebellions by decapitation, and quiets the turbulent with the bamboo. Yet he is great, not because he is so much in advance of his countrymen, but because he is not so far behind as they are in an appreciation of the arts, political and physical, which govern the modern world. He at least recognizes the value of these forces; he buys ships of war, constructs forts, experiments in torpedoes, and drills troops with modern arms. He has learned that despite the protestations of civilization, the sword yet remains the arbiter of nations, and that China, to be respected, must be armed. But he does not know that standing in the way of his military and naval aspirations is the fact that in China there is no military spirit.

Antedating all other nations in her traditions—standing, as it were, upon this "Rock of Ages"—China has taught her people to believe that there is something derogatory to honour in the character of a soldier—that the road to true glory lies through the fields of literature, and to emolument by the paths of commerce. Throughout these centuries generations have been imbued with these ideas, until, by the doctrine of a survival of the fittest, all martial spirit has died out of the race. The Chinese will suffer and endure; will, if cornered, fight; will rise

against local oppression; but, under these circumstances, their wars become mere murders or retaliations, shocking from their cruelty. There is absolutely no chivalry, which makes the soldier an agent of civilization—no *esprit de corps*, which creates heroes and national leaders. The only idea of discipline is the fear of corporal punishment. The bamboo is the dread alike of the General and the private. The civil button of the Mandarin takes precedence over military rank and defines relative subordination. Under such a system there can be no *organization*—none of that spirit which distinguishes an army from an army mob. Li Hung-chang, as the Viceroy of the Imperial Province, guards and garrisons with his own provincial army the capital city of Peking. He has a partially trained force of about 35,000 men, armed with breech-loaders, and a complement of field-pieces. He has also in store 200,000 or 300,000 stands of arms and several hundred pieces of artillery. His forts on the seaboard of the Gulf of Pechili are of modern construction, and are armed with heavy ordnance. But, although his troops have been more or less drilled and organized by foreign officers, they are at all times liable to be dispersed for labour upon the public works, thus continually destroying what their instructors are endeavouring to create in them, viz., the *elan* and spirit of a military corps.

Over these men the Viceroy appoints the Generals and perhaps the Colonels, but the subordinate officers are simply hired by the month, and degraded or bambooed at the caprice of their superiors. The men are obedient, apt, and only insubordinate when not paid. They are pure volunteers, and paid as coolie labourers would be, by the month. There is no code of justice, and no such thing as court-martials.

But this small force forms no type of the immense mass of men which has been and can be collected into a so-called army; nor is it even a nucleus for a well drilled force. The first and almost insurmountable obstacle, in addition to what has already been stated, is the absence of any consolidated national feeling or love of country as a whole. The political divisions of the Empire have cut through every stratum of society, have established customs or created languages or dialects, making each of the nineteen provinces not only distinct, but hostile nationalities. Besides, each of these provinces is governed by a Viceroy almost independent of Peking, and only bound to it and to each other by the mythical tie of a common Emperor, who rules as the "Son of Heaven." It is impossible to convince these antagonistic people that they can have any common cause or move them by any common motive. For these reasons it will be seen how difficult it would be to create a national army.

As it is with the army, so with the navy. There are four distinct naval fleets, each independent of the others, and although nominally under the control of two "Commissioners of Coast Defence," of which Viceroy Li Hung-chang is one, and the Viceroy of Nanking the other, yet there is no combination or unity. A few years ago the Foochow Arsenal fleet, under the able administration of Mr. Giquel, a French officer, gave promise of forming at least the nucleus of an Imperial naval force, after twenty years of labour that gentleman has gone away, and now both the arsenal and fleet are lapsing into decay. Under the pressure of a war imminent with Russia, Viceroy Li undertook to form a squadron for the protection of the approaches to Peking. Within a year or two he has collected a force of about twelve ships—six of these are gunboats of unique type—being remarkable for carrying the heaviest gun (35 tons) on the smallest displacement of any vessel afloat. Two others of similar type, but larger, and with very high speed, carry two guns each of 20 tons. These were all built by Sir William Armstrong. The other vessels of the squadron are composite, built at Foochow, and armed with light guns of French pattern. Besides these there is being built in Germany two ironclads of the "Sachsen" class of the German Navy. Every modern appliance in the art of naval warfare has been placed on these new ships—guns with large calibre and high velocity, moved by hydraulic power, machine guns, electric lights, torpedoes and torpedo boats, engines with twin screws, steel rams, etc., etc. Indeed, the material of this squadron is complete, yet it is evident that in order to be really effective, it needs an intelligent personnel and a thorough organization. It represents, indeed, a large amount of money expended, and has deluded the Chinese Government, and to some extent the world, into the belief, that China is really in possession of a navy. But the vices and weaknesses of the Chinese system of administration pervade and permeate it. The absence of naval rank and consequently of *esprit du corps*—of maritime experience and knowledge of the outside world among the officers—incongruous crews from different provinces, wanting in that pluck and dash which a national feeling and a national flag only can create—deep-seated and ineradicable financial corruption—all these combine to neutralize the qualities of the ships and to render them valueless as a fighting force.

To increase the inherent defects of this organization and, under the semblance of strength, in reality to add to its weakness, are the intrigues and jealousies of foreign officers both in and about the service. The Inspector-General of the Customs, an Englishman, in addition to his great power in that office, would also like to administer the navy. The ships were built in England under his contracts. Since their arrival in China the Commissioner of Customs at Tientsin—a German—has managed to secure their control. Three Englishmen—"quasi" officers of the Royal Navy, but now belonging to the Imperial Customs services afloat—are on board of the ships as "advisers" to the Chinese Admiral and Captains. Two ex-officers of the French Navy, employed at high salaries for some purpose never yet specified, make up three nationalities, each jealous of the other, and all despising the Chinese, while aspiring to control its naval service. With such discordant parts it will be easily seen how difficult it is to create a harmonious whole. The Viceroy, astute in all things but in the wisdom of the outside world, is more or less a victim to the flatteries or the arts of these ambitious men, who persuade him that he has a navy. But the Ministers of the Western Powers, who watch every movement of the Chinese toward the acquisition of military or naval strength, and who are determined that they shall go thus far and no further—know that—sold at large profit by their constituents and officered by their countrymen—it is only a toy to amuse His Excellency, the Viceroy, in time of peace and a prize to be captured in time of war.

When we consider the enormous power of these 400,000,000 of people if turned in any intelligent direction—unrestrained by any moral obligation, unhindered by any physical obstacle from overruning countries, exterminating races—I am forced to agree with the experienced diplomats, that Chinese progress in the arts of war is a thing to be checked, rather than accelerated by Western nation.

But notwithstanding the heavy hand which the representatives of Europe lay upon China whenever it attempts to move, contrasted with the scarcely perceptible pressure of American influence, China is really more in sympathy with Europe than with America. Russia, with a long, continuous border, exerts great power over its foreign policy, rendered easy by the assimilation of race and forcible by the dread of aggression.

But it is to our form of government that China is most antagonistic. The Mandarins are beginning to understand that if by the force of our example, liberal principles should be introduced in the Empire, there would be an end to the "heaven-born" dynasty, as well as to the taxation and tyranny upon which they now fatten and flourish. This fact has been illustrated lately by the treatment of the Chinese students peremptorily brought back from the United States before their educational course was completed. Wherever these youths have been distributed in the public service, they seem to have been regarded as the embodiment of "Americanism," and the determination has been shown to repress it, even by the cruelest means. They have fallen upon evil times, yet thoroughly imbued as they are with the spirit of free institutions, it is not likely that even the bamboo will entirely drive out of them the knowledge of these better things. But to-day they are the victims of oriental hatred to popular institutions, and the innocent cause of dislike on the part of the Mandarins for everything American.

The visit of General Grant to China was dramatic, rather than real, in its effect. Li Hung-chang was pleased to meet a man whom he could consider his peer, both as a soldier and a statesman, and, at the same time, one who, like himself, had risen to greatness by virtue of his own genius. The prominent vistors coming to China from Europe have usually been the mere scions of royalty—immature boys or wandering Princes—but General Grant had been the ruler of a great people and, more than that, the Viceroy expected he would be again. It was this, indeed, which gave the General's visit its authority. The Russian bear was growling on the borders of China, and the English lion, inspired by the Imperial policy of Beaconsfield, was crouching for a spring upon anything or anywhere that threatened English trade or supremacy, while the friendship of the United States, personified in General Grant, was easily secured by the outstretched hand, no more of friendship than diplomacy, of the astute Viceroy. But it would be a mistake to think that the visit had any permanent effect upon the foreign policy of China. The good it really did was to draw the attention of the United States to that country, with its immense possibilities for American commerce. During our war China had been almost forgotten and our trade almost annihilated. General Grant's visit revived these memories—indeed, around the world his journey had this significance. It reminded both the West and the East that America still lived. General Grant represented a character which, abroad, many of his countrymen are ashamed to confess—a *Republican* by conviction and an *American* at all times, whether in courts or camps.

As an adjunct to the army and navy, China has four arsenals—at Foochow, Shanghai, Tientsin and Nanking. At the first three are docks and plant for building and repairing small ships of war and engines, and distributed among them are factories for making powder, metallic cartridges, torpedoes, steam launches, etc. At Shanghai heavy ordnance is fabricated for the navy, and at Nanking field pieces for the army. All of these establishments have been or are more or less under foreign supervision, but it is at Tientsin alone that at present—under the vigorous determination of Li Hung-chang to arm China—there any signs of vitality. The others are in a state of gradual decadence.

With such warlike means and methods, and under the condition I have enumerated, China is growing into fictitious strength and keeping imaginary pace with Western improvements. Concomitant with these is an increasing and undying feeling of hostility to foreigners all and every nationality.

Under these circumstances—portrayed without prejudice, but without sentiment—I am of the earnest conviction that the policy of the United States in China, and towards the Chinese in America, should be with us as it is with them—*purely selfish*—coming, as it ought to, under the universal law of right and justice, but by no means governed by the fallacious idea of international friendship, or even the broader ground of a common brotherhood.

We should legislate to the extent of our own needs for labour. We should regulate and limit the supply by the demand, and with reference to these people repudiate the doctrine of unrestricted immigration. Nor should our policy in this matter be confined to California. Already undue proportions of Chinamen are flooding the Sandwich Islands. This group, both from its commercial and strategic position, is a mere outlying county of that State, yielding the productions necessary to the Pacific Slope, and of vital importance to the military and naval strength of the whole country. Any evil inflicted upon these islands will eventually affect ourselves.

The points I have endeavoured to make in this letter are:—

1.—That China has no real aggressive military or naval strength.

2.—That there is and can be no affinity between the people of the United States and China.

3.—That the Government of the United States, as the Governments of Europe, should insist upon its rights in China, conceding no more than is granted and trusting no more than it is trusted.

4.—That although the two countries are so situated as to invite, there never can be any intimate political or commercial relations between them, except upon the basis of such as the United States may demand.

Further, I desire to express the opinion that although the superabundant people of China will, under an impressive necessity, emigrate to other lands in constant and irresistible currents, yet they will rather go towards the West than the East into America. This seems to be the great law of movement to the human tide—from East to West. Nevertheless, the eddies and counter currents may be sufficiently strong to need watching and providing against. It will be for our Congress to judge of the limit of legislation necessary to effect this purpose.

In my next letter I will endeavor to elucidate the three questions which have vexed, and still vex, the Tsung-li-Yamên at Pekin, and in which we are more or less interested.

I address these letters to you, because I remember that you were the earnest opponent of unlimited Chinese immigration into the United States both as Senator and citizen of your State, although at the time I did not fully concur with you.—

I am, very truly
Yours faithfully
(Signed)
W. H. Shufeldt.

—Daily Press.

ack

A. M. Clain

No. 109. Two Enclosures.

Legation of the United States.

Peking, May 23rd 4, 1882.

DEPARTMENT OF STATE
JUL 10 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Acting Vice Consul at Canton.

Synopsis.

Covers copies of correspondence with the Consul General upon this subject.

Mr. Holcombe does not regard Mr. Inge as a suitable person for the position, and suggests that a permanent appointment be made as speedily as possible.

No. 109. One Enclosure.

Legation of the United States.

Peking, May 23rd, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

I have the honor to enclose herewith copies of a despatch which has been received from Consul General Klemm in reference to the appointment of an Acting Vice Consul at Canton, and of my reply. 1/109. 2/109.

Although I have approved Mr. Klemm's action, I am bound to say to the Department that I do not regard Mr. Kaye as a suitable person

person to remain for any considerable length of time in charge of the Tientsin Consulate.

I beg leave to suggest therefore, that the vacancy at that post should be permanently filled at the earliest possible moment.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosures.

1. Mr. Henny to Mr. Holcombe
   No. 86. May 13th, 1882.
2. Mr. Holcombe in response.
   No. 15. May 23d, 1882.

Despatch No. 109.
Inclosure 1.

Mr. Denny to Mr. Holcombe.

No. 86. May 18th, 1882.

Sir,

I have the honor to hand you herewith a copy of my No. 148. addressed to Mr. Gideon Nye, relating to his appointment as Vice Consul, and his assuming charge of the Consulate at Canton, which explains itself.

Had time permitted I should have consulted you before making the temporary appointment, I trust however that my action will meet with your approval.

I am. etc.

(signed) O. N. Denny

Mr. Denny to Mr. Gideon Nye.

No 148. May 12th, 1882.

Sir,

Referring to Mr. Carrow's No 106, wherein he tendered his resignation as Vice Consul in charge of the Canton Consulate and asking to be relieved from the duties of the office at once, in order that he might return to the United States on urgent business, and recommending your appointment as Viceconsul to relieve him, and to my No 108 declining to comply with his request in the interest of the public service, as I believed at the time. I now have to inform you that having today received a private letter from Mr. Carrow dated the 8th instant wherein he informs me that he has made his arrangements to leave for the United States in the "City of Tokio" which sails from Hongkong on the 17th of May, that his business is of such an urgent nature he must

must go, whether he is relieved or not, taking the chances of being able to justify his action before the Department, and as I did not wish the Consulate to be left in charge of an unauthorized person, I have accepted Mr. Carroo's resignation and appointed you Vice Consul, in accordance with his recommendation, to relieve him, and have instructed him by telegram as follows; —

" United States Consulate General
" Shanghai, May 12th, 1883,
" Carroo, Vice Consul, Canton,
' Nye appointed Vice Consul who will
' relieve you upon his executing sufficient bond,
' form 2, in two thousand dollars, sureties —
' American citizens, forward bond to me,
" You will execute the oath of office,
form No 1, before an officer duly qualified to
administer oaths, and forward the same with

your

your bond, you will notify the Department of State, the United States Minister at Peking, and the Consular officers of this jurisdiction through this Consulate General of your having assumed charge of the Consulate, also the different Consular Representatives at your port, you will remain in charge of the Consulate and continue to discharge its duties, until relieved by a Consular officer duly appointed by the President of the United States, to whom you will hand over, when demanded by such officer, all goods, effects, books, records, seals of office, papers, or other property of the Government, which may have come into your possession by reason of your temporary appointment as U. S. Vice Consul.

I am, etc.

(signed) O. N. Denny,

Despatch No. 109.
Enclosure 2.

Mr. Holcombe to Mr. Denny

No. 15. May 23rd, 1882.

Sir,

I have had the honor to receive your despatch No. 86, in relation to the temporary appointment of a Vice Consul at Canton. Your action as therein described is in accord with paragraph 113. of the Consular Regulations and is, of course, approved.

Please furnish me with Mr. Nye's full Chinese name (Chinese characters) as speedily as possible in order that his exequatur may be applied for.

I am, etc.

(Signed) Chester Holcombe.

Vaccines + diphtheria
June 21 82
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Approved 1

No. 110. Two Enclosures.



Legation of the United States.
Peking, May 23rd, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Lieut. Wingate in charge of Russian interests at Tsochow.

Synopsis.

Covers correspondence upon this subject, and asks the approval of the Department.

No. 110. Two Enclosures.

Legation of the United States.

Peking, May 23rd, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have the honor to forward herewith a copy 1/110.
of a despatch received from Mr. Consul Mingate, informing me that he has consented to look after Russian interests at Tsochow for the present, and a copy 2/110.
of my response in which I have approved his action.

The Russian Minister has requested my assent to the line of conduct indicated above

above.

I beg that my approval of Mr. Hingate's action, as herein described, may be confirmed by the Department.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe.

Enclosures.

1. Mr. Hingate to Mr. Holcombe No. 26. May 11th U. 1882.
2. Mr. Holcombe in response No. 15. May 23rd U. 1882.

Despatch No. 110.

Enclosure 1.

Mr. Wingate to Mr. Holcombe.

No. 26. Foochow, May 11th, 1882.

Sir:—

A. Solomonoff, Esquire, His Imperial Russian Majesty's Vice Consul at this port, wishing to be away during the summer, has asked me to look after Russian interests during his absence, and I have consented to do so subject to the approval of my Government.

I have therefor the honor to request your approval of my action, unless you deem it inexpedient to grant it.

I have &c.

(signed) J. C. A. Wingate.

Despatch No. 110.
Enclosure 2.

Mr. Holcombe to Mr. Wingate.

No. 15. May 23rd, 1882.

Sir:—

I have had the honor to receive your despatch No. 26, informing me that you have taken temporary charge of Russian interests at your port.

Your action as thus described is approved. The Russian Minister had sought my assent to such an arrangement prior to the receipt of your despatch

I am, Sir, etc.

(signed) Chester Holcombe,

Roots to Mr Seaman's Library

made

No. 111.

Legation of the United States.

Peking, May 24th, 1882.

DEPARTMENT OF STATE
JUL 10 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Customs Gazette.

Synopsis.

Forwards under separate cover three copies of the above.

No. 111.

Legation of the United States.
Peking, May 24th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:—

I have the honor to forward herewith, under separate cover, three copies of the "Customs "Gazette, No. LIII. January— "March, 1882.", as published by the Inspector General of Chinese Customs.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

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What were Dept instrs in this case made

No. 142. One Enclosure.

Legation of the United States.

Peking, May 24th, 1882.

DEPARTMENT OF STATE
JUL 18 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Mr. Lueh's expenses on mission to Lê Cho and Lehimanfu.

Synopsis.

Forwards a statement of this account with vouchers. Mr. Holcombe has drawn upon the Secretary of State for the amount and asks that his draft be duly honored.

No. 112. One Enclosure.

Legation of the United States.
Peking, May 24th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:—

Referring to my previous despatches in the "Lehimanfu "case", and more particularly to my number 98., in which the Department was informed that Mr. Zuck had been sent to Le Cho and Chimanfu to such a settlement of the various questions which had arisen in those cities, I now have the honor to enclose herewith 1/112. a detailed statement of the expenses incurred by Mr. Zuck

Such in his mission, with the usual vouchers.

The sum total involved in this account — $291.55 — is much larger than the probable limit mentioned in my despatch number 73. This is partly owing to the fact that the gentlemen were detained longer at Ichinanfu than I had anticipated, but is more especially caused by my having decided at the last moment to send Mr. Taylor with Mr. Such as Interpreter. On mature thought, it did not seem wise to have my deputy, while at Chinanfu, dependent upon one of the missionaries

missionaries who were parties to the case there for services as Interpreter. Hence it became necessary to send two men instead of one.

I have paid Mr. Fuchs bill and drawn upon you in the usual course for the amount. I beg that my draft may be duly honored.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

4

Enclosure.

1. Statement of Mr. Fuchs bill of expenses on mission to Le Chs and Chinanfu.

No. 113. One Enclosure.



Legation of the United States
Peking, May 25th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.
Cost of telegram.

Synopsis.
Forwards statement of cost of telegram of May 13th, Have drawn for the amount.

No. 113. One Enclosure.

Legation of the United States.

Peking, May 25th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

I have the honor to enclose a statement of the cost of a telegram sent by me to the Department upon the 13th instant, accompanied by the usual voucher. 1/113.

I have drawn upon you for the amount, and beg that my draft may be paid.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Cost of telegram of May 13th, 1882.

File
see instr. no. 2
1882 to Sec. of
War Navy

made

No. 114. Three Enclosures.



Legation of the United States.

Peking, May 25th, 1882.

Chester Holcombe. to

the Secretary of State.

Subject.

The "Chinanfu case".

Synopsis.

Refers to dispatch number 106, and covers copies of correspondence with Prince Kung. Has asked for the restoration of the premises destroyed, and at the same time has advised the missionaries to accept of any offer made in good faith to furnish them with suitable property in exchange. Asks approval for this action.

No. 114. Three Enclosures.

Legation of the United States.

Peking, May 25th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

In my despatch number 106. in the "Lehianfu case", the Department was informed that I had decided to take a new departure, and to call upon the Chinese Authorities to restore the original premises to the missionaries, and reimburse them for their losses; to arrest and punish the authors of the disturbance of July, 1881.; and to secure full protection to our people in

in the occupancy and use of their property.

I have now the honor to submit to you a
1/114. copy of a despatch in which these demands have been laid before H. I. H.
2/114. Prince Kung, and a copy of the response made by him.

As intimated in my number 106., I do not feel sanguine that this line of conduct will result in the actual restoration of the original premises, but I am confident that it will either secure this, or the possession to the missionaries of premises equally desirable in exchange.

With

With this in view, I have informed Messrs. Murray and Hunter of my action, and have advised them to close at once with any offer, made in good faith by the local authorities, to provide suitable premises for them in lieu of those destroyed. 3/1114.

Trusting that my action will meet with your approval,

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosures.

Enclosures.

1. Mr. Holcombe to Prince Kung.
   43/1882. May 20th, 1882.
2. Prince Kung in response.
   45/1882. May 24th, 1882.
3. Mr. Holcombe to Messrs. Murray & Hunter.
   19/1882. May 19th, 1882.

Despatch No. 114.
Enclosure 1.

Copy.

Mr. Holcombe to Prince Kung.

No. 43/1882. May. 20th, 1882.

Your Imperial Highness:—

In the matter of the plunder by a mob of certain missionary premises in Chinanfu in July, 1881, it has become my duty to call the attention of Y. I. H. to the following brief summary of the facts in the case.

The property in question was purchased in January 1881, in the usual manner with the knowledge and consent of the neighbors for a chapel and medical dispensary

pensary. In May, 1881 the work of making some necessary alterations to the internal arrangement of the buildings was entered upon. No change to the exterior appearance or style of the buildings was contemplated. Upon the 12th of July, while the work of alteration was in progress, the missionaries were informed that upon the following day an attack would be made upon the building. They went at once to the Taotai and stated what they had heard. He made no question as to the legality of their occupancy of the premises, but assured them

that

that he would keep the peace)
and that no trouble should a-
rise. At 9 A.M. next day the
building was attacked by a
mob led by the Hsien Shengo
from the Lo yuan Shu yuan.
At the time of the mob the
Taotai was in the shu yuan
only next door to the scene of
the riot. Yet he made no effort
to keep his promise to the mis-
sionaries and it was not un-
til late in the day, after the
mob had finished its work that
soldiers came and took posses-
sion of the premises. None of the
rioters were arrested, and no
steps were taken to comply with

plain

plain provisions of the treaties and protect the property of our people.

This business was brought at once to the notice of U. S. Ho. by Minister Angell, and since I have been in charge of this Legation no effort has been spared by me to bring it to a satisfactory issue. After months of wearisome and unavailing correspondence I sent a representative of this Legation to Chinanfu to arrange the case with the local authorities in a friendly manner. But this last effort upon my part has been entirely fruitless. My

representative

representative has returned and reports that while he was treated with entire civility by the Governor of Shantung and his subordinate officials, no serious effort was made by them to right the wrongs to which citizens of the United States had been subjected or to carry out a promise made nearly a year ago to furnish suitable premises in place of those unjustly taken from the missionaries.

In view of these facts I am compelled to bring this case again to the notice of

Y. I. A.

U. S. A. and to ask you to take some immediate and vigorous measures to enforce the guarantee of immunity from damage or loss to persons or property which China has pledged to the citizens of the United States within her territory.

Article XI. of the Treaty of Tientsin recites that "all "citizens of the United States "of America in China peaceably "attending to their affairs, being "placed on a common footing "of amity and good will with "subjects of China, shall re- "ceive and enjoy for themselves "and every thing appertain-

"ing

"ing to them, the protection of
"the local authorities of Govern-
"ment who shall defend them
"from all insult and injury of
"any sort. If their dwellings or
"property be threatened or attack-
"ed by mobs, incendiaries, or
"other violent or lawless persons,
"the local officers on requisition
"of the Consul shall immediately
"despatch a military force to dis-
"perse the rioters, apprehend
"the guilty individuals, and pun-
"ish them with the utmost rigor
"of the law."

Article XXIX. of the
same treaty recites that
"the principles of the Chris-

"tian

"tian religion, as professed
"by the Protestant and Roman
"Catholic Churches are recogniz-
"ed as teaching men to do good,
"and to do to others as they would
"have others do to them. Hereafter
"those who quietly profess and
"teach these doctrines shall
"not be harassed or persecuted
"on account of their faith.
"Any person whether citizen
"of the United States or Chinese
"convert, who according to these
"tenets peaceably teach and
"practice the principles of
"Christianity shall in no
case be interfered with or
molested.

And

And Article IV. of the "Burlingame Treaty" refers to the above and adds:— "it is further "agreed that citizens of the "United States in China, and "Chinese subjects in the United "States shall enjoy entire liberty "of conscience and shall be exempt "from all disability or persecution "on account of their religious "faith or worship in either "country."

Y. I. H. will certainly admit that the foregoing treaty stipulations have been violated by both the people and the authorities of Chinanfu.

The

The buildings in question were intended for a preaching chapel and a dispensary for the healing of disease. And by the distinct language of treaty quoted above, the Christians of Chinanfu have precisely the same right to a preaching chapel, and to the protection of the local authorities in the occupancy and use of it that Buddhists and Taoists have to their temples or the followers of Confucius to buildings dedicated to his worship.

U. S. H. will also admit that all due patience

and

and forbearance has been exercised by this Legation in the case under review. A proposition was made to Exchange the premises of which the missionaries had been dispossessed for others equally suitable and well adapted to their wants, in order to conciliate popular feeling and from a desire to avoid any appeal to our manifest rights under the treaties. This was done however as a concession on our part; and in doing it the rights of our people were not in any sense waived or compromised.

Nearly

Nearly a year having elapsed, and this proposed concession on our part having come to naught through a disinclination on the part of the local authorities to act upon it in good faith, it has become my duty to call the attention of H. I. M. to the provisions of the treaties applicable to this case, and to request you formally, in the name of my Government, to take such measures as will secure effectively the following results:—

1st. The restoration of the original

original premises to the missionaries and full protection in the occupancy and use of them.

2nd " Reimbursement for the damage done to the premises by the mob.

3rd " The arrest and severe punishment according to law and treaty of the leaders in the riot.-and

4th " The issue of suitable proclamations and orders to prevent a recurrence of such outrages against citizens of the United States.

I doubt not the disposition

disposition of Y. I. H. to do even-handed justice in all matters which come before you, and beg to assure you that the United States neither expects nor desires more than this for its citizens.

I have &c.

(Signed) Chester Holcombe.

Despatch No. 1114,
Enclosure 2.

45/1882.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

I have had the honor to receive three despatches from you, bearing date, respectively, May 17th and 20th. One was in the Chi nan-fu matter and requested me to order the restoration of the original premises to the missionaries, the payment of their losses, the arrest and punishment of the rioters, and the issue of suitable proclamations. Another discussed the assault upon Messrs Zuck and Taylor at Te Cho; the refusal of the Sub Prefect to take proper action; and requested me to devise some more serious mode of dealing with that official. The third declared that the Sub Prefect had issued a crafty and incendiary

incendiary proclamation, which it was enclosed, together with a deposition in regard to an allegation that a certain Christian Chinese woman had given birth to a child etc. etc.

Copies of these three despatches have been made at this Office, and I have sent them by flying courier to the Governor of Shantung, with secret instructions that he most positively must investigate and satisfactorily close these matters.

When his reply shall have been received I shall have the honor to address you further.

Hon. Chester Holcombe

&c. &c. &c.

Peking, May 24th, 1882.

Despatch No. 114.
Enclosure 3.

Copy.

Mr. Holcombe to Messrs. Murray & Hunter

19/1882.

May, 19th, 1882.

Gentlemen:—

I have had the honor to receive your letter of the 1st instant in relation to matters in Chinanfu. I have also received the reports of Messrs. Tuck and Taylor reciting the details of their negotiations there and the failure of their efforts to arrive at a satisfactory issue of the business in hand.

After much consideration I have decided to take an entirely new departure in the case, and am addressing H. I. H. Prince Kung, making formal demand for the restoration of the original premises to you, and full protection in the occupancy and use of them; the arrest and punishment of the

the ringleaders in the riot; and full indemnity for any losses which you may have suffered.

Speaking with entire frankness I do not feel certain of success in obtaining the restoration of the original premises, but I do expect by this effort to force the local authorities to act in earnest in securing equally good premises for you in exchange.

In this view of the case, it will be well, in case the Chinanfu officials should propose any suitable premises to you to close with them at once, always upon the conditions specified in my letter to you number 9/1882 of March 7th ultimo. In such an event you will of course report all details to me, without however de-

delaying the exchange of properties in order to do so.

I am Sir

(Signed) Chester Holcombe.

Navy dept.
June 28/82
Order

May 24, 1882

Special Mission to Corea

Blank No. 3.

No. 530 Hd Ly CABLE MESSAGE. | Ny

THE WESTERN UNION TELEGRAPH COMPANY.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

A. R. BREWER, Secretary. NORVIN GREEN, President.

Check. 13 Shanghai

1218 Ap

Received at Washn

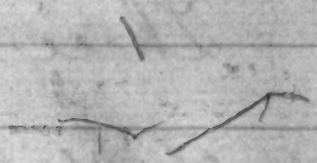
May 29 1882

Secretary State

Washn

Returned from Corea treaty m'ady

Intercourse established & wanted



Approve the diligent efforts made
It is hoped they may be continued
to a successful result
made

No. 115. Three Enclosures.



Legation of the United States.
Peking, May 27th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

The "Yenping" case.

Synopsis.

Covers further report from Mr. Wingate, his progress. Object sought by local authorities in their prevarication and delay. Have appealed again to Prince Kung, and instructed Mr. Wingate to concede nothing further. Asks approval of Department.

No 115. Three Enclosures.

Legation of the United States.
Peking, May 27th, 1882.

Honorable F. T. Frelinghuysen,
Secretary of State,

Sir:

Referring to previous correspondence between this Legation and the Department in regard to the assault upon Rev. Mr. Sites, at Yen-Ping in the province of Fukien in December 1879, I have the honor to enclose herewith a copy of a further report from Mr. Consul Wingate of unsuccessful efforts made by him to bring the business to a satisfactory conclusion,

1/115

My despatch No. 88. of April 26th covered a translation of a despatch from H. I. H. Prince Kung calling

calling my attention to complaints made by the Provincial Authorities that Mr. Vice Consul Cowles had "raised irrelevant questions" - and thus delayed the settlement of the case.

Mr. Wingate's report shows, as I had anticipated, that this charge had no foundation in fact and was raised by the Futien officials in accordance with their usual tortuous policy in order to stave off the business, and to so exhaust our patience that we would drop the case from sheer weariness and disgust.

In a recent despatch to the Department upon a different topic I remarked that "a long patience, a 'cool brain, indomitable persistency, 'and imperturbable good nature are 'necessary qualifications to the success 'of any person who may come into official

"official relations with them" (the Chinese).
The history of this "Yen Ping Case" as
found in the records of the Department
will furnish abundant proof of the
entire accuracy of my statement.

At the outset a libellous charge was
brought by the Chinese authorities
that Mr. Sites had provoked the
murderous assault upon him by using
vile language to some Chinese, on the
Sabbath and while he was conducting
Christian worship, and by firing a
revolver into the crowd wounding one
person. This accusation was known to
be utterly false by the local and
provincial authorities, and was trumped
up by them as a counter grievance and
with the hope that, by the skilful use
of this libel, they might with success
propose to us to drop the charge against

Mr.

Mr. Sites on condition that we would abandon our complaints against the authorities and people of Yentsing. While this essentially Chinese device was not entirely successful, it did so far serve that it resulted in the abandonment of all effort on our part to secure the punishment of the parties to the assault upon Mr. Sites. It led directly to such a modification of our demands that, for this gross injury, to which an insult to Mr. Sites had been wilfully added, we insisted only that the libellous accusation against him should be retracted, the chapel in question be restored to the missionaries, and proclamations for their protection be issued.

The first of these conditions was granted at once. And it is no injustice to the Chinese to say that they

they would with equal readiness and without sense of shame have acknowledged that they knew the charge against Mr. Sites to be a lie when they made it, had we asked so much of them. And their quibbling evasion, and vexatious delays during the past eighteen months have been planned by them with a direct bearing upon the remaining two points insisted on by us. Their design is, first, to nominally return the chapel to the missionaries and at the same time prevent the use of it as a chapel, and second, to so word the proclamations to be issued that they shall form no real protection to our people. The correspondence, when read connectedly, plainly shows that these are the objects kept in view by the Julian Authorities. And it is important that they be understood by the Department. All my experience

goes

goes to show that the Chinese authorities would not hesitate to waste six months in what to us would be childish and absurd debate over a single word in a proclamation, and at the end of that time consider themselves amply repaid if they had so wearied our patience and temper as to cause us to yield the point as not worth further discussion, and they have always this advantage over us, that they will insist and put great stress upon trifles — only apparently trifles, however, when dealing with them, — which we consider beneath our notice,

I have addressed H. I. H. Prince Kung in strong protest against this prevarication and delay on the part of his officials; have assured him that no further concession would be made on our part; and urged him to send

2/115

such

such positive and stringent orders to
Foochow as would put an end to this
business upon the basis of the terms
proposed by the Legation and formally
accepted by him,

And Mr. Wingate has been
3/115 instructed to concede nothing further,
but to press the case to an immediate
conclusion,

I beg the approval of the
Department for my action as herein
described,

I have the honor to be,
Sir,
Your obedient servant,
Chester Holcombe

Enclosures.

1. Mr. Wingate to Mr. Holcombe,
   No 25. May 10th, 1882.
2. Mr. Holcombe to Prince Kung.
   46/1882, May 25th, 1882.
3. Mr. Holcombe to Mr. Wingate
   No 16. — May 24th, 1882.

Despatch No. 115.
Enclosure 1.

Mr. Morgan to Mr. Holcombe.

No. 25. May 10th, 1882.

Sir;-

I have the honor to acknowledge the receipt of your despatch of April 7th No. 12, relating to the Sites - Yen Ping case, covering copies of a despatch from Prince Kung to yourself dated April 4th and your reply to the same.

I have now the honor to report my recent actions in the case.

On the 31st of March I addressed a despatch to the

the Viceroy, a copy of which is enclosed herewith, in which I referred to having received several despatches from the Legation, and enquired if the instructions regarding the case, as indicated in Prince Kung's despatch to you dated the 11th of January had been received, &c.— To this despatch no reply was given; but on the 12th of April, I received a despatch from Yeh, Acting Provincial Judge, wherein he notes the receipt of an instruction from the Viceroy, based on a correspondence from the Tsung-li-Yamên regarding your despatch

despatch of January, 5th. I

2/ enclose a copy thereof, and I think you will agree with me that it was most unsatisfactory, even if you do not apply a stronger designation. You will note in it the first intimation I had received that the officials were attempting to use Mr. Cowles as a foil. A copy of my reply, dated April, 17th. is enclosed.

3/ On the 11th., the Expectant Fang called to see me. He had proposed a call several days earlier, but it was not convenient for me to see him, and he did not intimate

that

that he had any business to transact. After a lengthy social talk, he said he had been sent by the Viceroy and yet to talk about the Yenping Case. He wanted to avoid saying anything about Chapel. I told him you had told me not to discuss words, what we wanted was the thing — the possession of the Chapel and protection therein. He began to talk about the terms on which the Mission acquired possession of the Chapel. I told him I should not talk with him on that point, I had nothing to do with that now —

my

my case was the assault upon Mr. Sites. I was wary of talking business with him at all, as, although he is most always free in his conversation, he has neither the power nor the wish to do otherwise than please his superiors. He said he would report. And I said I proposed to call on the Viceroy, after first writing to him.

Yeh's despatch shewed such a manifest determination on his part not only to evade and misrepresent the facts of the case, but also to nullify almost all the work which had

had already been done in the case, that I thought it best to write at once to the Viceroy, complaining of the character of Yeh's despatch, expressing an opinion as to the unlecessness of discussing the case with any officials who insisted on a restricted use of the Chapel near the Little Water Gate, and asking for an audience with His Excellency whereat I might urge his personal action in the case. A copy of this dated April, 17th is enclosed.

W/ On the 16th Yeh addressed me another despatch, noting an instruction from the

the Viceroy quoting my despatch
of March, 31st, a copy of which
is enclosed.

5.

My last above noted despatch-
es to Yeh asking me to a confer-
ence with himself and the
Taotais Fang and Sheng, at
the Provincial Judge's Yamên
on the 24th. A copy of this
and, of my reply thereto, dated
the 22nd are enclosed. I trust
you will approve of my action
in declining, under the cir-
cumstances in which the case
then stood, to attend the con-
ference.

and 7.

On the 23rd I received
a despatch from the Viceroy,
and on the 26th one from

Yeh.

8.9810

Yeh; copies of these and of my reply to the Viceroy, dated May 8th are enclosed.

It is not necessary for me to comment at length upon these despatches. You will, I think find it impossible to discover therein a sign of any intention of granting any other than a qualified right to use the Chapel at the Little Water Gate in Yenping, or any promise of protection either to the foreign or native preachers, in their ordinary mission work.

The officials here have probably thought that they discovered in the wording of your despatch

of

of January, 5th to Prince Kung, something more favorable to their wishes than in what I have demanded. You will notice that they are seemingly anxious to have me close the case in accordance with the three points indicated by yourself.

To you and to me the expression "That the Chapel at "Yenping should be restored to "those who have occupied it for "many years," means a full restoration to the Mission for ordinary Mission work, but it is apparent here that the officials think by it to merely permit the native helpers to

use

use it as a book-shop and for worship with closed doors. I confess to have had some anxiety as to the construction which might possibly be put upon the Chinese text of your three points, but that anxiety is happily done away by the unmistakeable directness of the wording of the 2nd condition in your despatch of April 7th, to Prince Kung, a copy of which you have enclosed in your despatch of the same date to me.

The acting Provincial Judge Yeh knew better than to report to the Viceroy and

to

to Peking as he did, in stating that the case would have been disposed of in September last, but from the fact that Mr. Vice Consul Cowles unexpectedly introduced irrelevant matter.

You will find in my despatch of December, 11th No. 20, a statement of my reasons for sending Mr. Cowles to see Yeh on the 28th of September. My despatch of September 29th to Yeh states clearly my reason for sending Mr. Cowles to see him, and also the reasons why the negotiations at that time failed to result in a settlement.

The High Authorities can themselves

themselves readily judge how disingenuous is the acting Provincial Judge when he reports Mr. Cowles' interference to be the cause of failure, instead of forwarding a copy of my despatch wherein they could see the real cause.

You will note that Prince Kung stated in his despatch of April, 4th, that a despatch was received from the Foh Kien Authorities on the 31st of March, in reply to instructions issued in accordance with the request contained in your despatch of the 5th of January. The Foh Kien Authorities report the

the negotiations which took place last fall, as their reply to the three points put forward in your despatches of January 5th, and then go on to say that Cowles having introduced irrelevant matter, it is necessary to concert with me for a satisfactory issue of the matter on the basis of your three points.

The Secretary received the instructions, requested in your despatch of January 5th, on the 3rd of February. You will be able to judge of the haste which was made to obey therein, when I state that my former despatches report all that was done in the

the case up to the recent action reported therein.

Between the 29th of September and the 31st of March, there were the fruitless interviews with Shêng at my own house, as reported in my No. 20, and the reactionary propositions received from Yeh on the 13th of January, a copy of which was sent to you in my No. 22.

Yeh's despatch of April 12th is apparently the first move on the part of the local officials to obey the instructions received on the 3rd of February, and that

that evidently was prompted by my despatch to the Treasury

I have &c &c

(Signed) J. G. Wingate.

Enclosures.

1 Mr. Wingate to No. Treasury &c. March, 31st, 1882.

2 Yeh Acting Judge &c to Mr. Wingate April 12th "

3 Mr. Wingate to Yeh &c. April 17th "

4 Mr. Wingate to No &c. April 17th "

5 Yeh &c. to Mr. Wingate April 16th "

6 Yeh &c. to Mr. Wingate April 21st "

7 Mr. Wingate to Yeh &c. April, 22nd "

8 No &c to Mr. Wingate April 23rd "

9 Yeh &c. to Mr. Wingate April, 26th "

10 Mr. Wingate to No &c. May, 8th

P. S. I also Enclose a copy

of

of a despatch from Yeh Taotai
dated the 8th instant, to which
I have not replied

(Signed) J. f. A. W.

11.

Mr. Mingale to Fleury. No.

Foochow, Mch 31st, 82.

Sir:-

It becomes my duty to again bring before Y. E. the subject of the still unsettled case of the assault upon the Revd Mr. Sites in Yenping. I have been most patiently waiting the carrying out of the very lenient conditions of settlement to which I have assented, but nothing has been accomplished.

Since I last addressed Your Excellency on the subject, I have received several despatches

from

from the U. S. Legation at Peking enquiring as to the progress of the case, and instructing me as to my duty therein.

In a despatch received some time ago, I am informed that His Highness Prince Kung said in reply to a despatch from the Legation relative to this case, "I have the honor to inform you that I have most positively instructed the authorities of the province concerned to settle this business in a satisfactory manner and at an early moment."

May I ask if these instructions

have been received by your Excellency, and if I am to expect a dealing of the case in accordance therewith.

I avail myself of the occasion to make known my continued good wishes for Y. E. health and happiness.

I have &c.

(Signed) J. J. A. Ringate.

U.S. Consul.

Mr. Yeh to Mr. Wingate.

I have the honor to be in receipt of an instruction from Ho. Viceroy, President of a Metropolitan Board, as follows:-

"On February, 3rd, 1882, I "had the honor to receive an "Express from the Board of War "forwarding one correspondence "from the Tsungli Yamên Stating:-

"We received, January, 6th, "a communication from Mr. Nol- "combe, U.S. Charge d'Affaires that "in the case of the assault upon "the Rev. Mr. Sites at Yen p'ing, it is now two years, and though we have exerted our-

selves

"selves to the utmost wishing
"to have Americans avoid
"suffering grievance and op-
"pression, yet the local author
"ities at Foochow have constant-
"ly contrived to put off and
"evade, and we have not been
"able to close the case. Mr. Consul
"Mingate early received instructions
"from this legation to yield a foot
"of ground, and therefore did
"not request that the principal
"instigators be punished, what
"he asked being merely that
"the local authorities should
"clearly acknowledge that
there was no such thing as
that stated about the Rev.d

Mr.

"Mr. Sills reviling and firing
"a gun; that the chapel (Hall
"for the Explanation of the Class-
"ics) be restored to the man (or
"men) who at the outset occupied
"it for ten years and more, and
"that the Governor General and
"Governor of the said province
"post a proclamation for the
"officials, literati, merchants
"and people of the said place,
"as a precaution for the future."
"I request then that a
"despatch be sent that in-
"structions be given the
"said local authorities early
"and Equitably to close the
"case."

This

" " This coming to us :-
" As to how you should ear-
" nestly instruct one to devise
" satisfactory measures to early
" close the case - it is fitting
" that we copy the communica-
" tion, and send a despatch
" to (you) the Foreign (high au-
" thorities) to examine clearly,
" deal with the case satisfactorily,
" and reply."

This being in turn forward-
ed to me, the Acting Provincial
Judge, and I having had the-
honor to receive it, I find, in
this case I before repeatedly
negotiated with you, the hon.
Consul, upon the several re-

quests

quests of Minister Angell and had already brought the negotiations to a completion, and, on Sept. 25th of last year, had already sent you a communication. As Mr. Cowles, formerly acting as U.S. Interpreter, now filling the post of Vice Consul, in a personal interview said that Mr. Sites insisted upon taking the building in the said place and opening and using it as a Chapel (hall for worship): that a proclamation must be cut on stone by the officials and the circumstances connected with the cutting of the stone be notified to the people

people, when one would be willing to close the case: but I found that the building at the Little West Gate was originally leased as a book-shop and for a sealed term of years, while Mr. Sites now wished to change it into a chapel (hall for worship), the proclamation furthermore to be cut on stone by the officials — matters to which there existed an obstacle, and difficult to do. I again complaisantly negotiated with you, the hon. Consul, back and forth, and earnestly told you to urge and order the missionary that he need not force men to what was difficult:- respectively on record.

record.

Being now in receipt of the despatch of the Tsungli Yamên, that they have received a communication from Mr. Holcombe, Chargè d'Affaires, saying that the local authorities should report clearly that there was no reviling or firing of a gun on the part of Mr. Sites; that the chapel (Hall for the exposition of the classics) at the Little West Water Gate be restored to the man (or men) at the outset residing there, and that a proclamation be posted as a precaution for the future.— these three points— it is fitting that the case be

closed

closed agreeably thereto.

It is fitting that I immediately negotiate by communication.

Therefore I send this communication to you the hon. Consul, whom I beg to trouble to examine and close the case according to the three items pointed out by Mr. Holcombe, Chargè d'Affaires.

I hope yet for a reply.

A necessary dispatch.

April, 12th, 1882. (Kuangsü, 8th year, 2nd moon, 26th day).

Encl.

Mr. Wingate to Mr. Yeh.

April, 1st, 1882.

Sir:-

I have the honor to acknowledge the receipt of your despatch of the 12th instant, regarding the Liles Yenping case, wherein you recount certain orders which have been received from the Tsung li yamên, in the case. You also make certain statements regarding the matter and close by asking me to examine and close the case &c - &c. -

In reply I have to say that I am not aware that Mr. Cowles insisted upon

upon any new terms of settlement in the interview which he had with you some months ago, nor have I asked for anything that is not just.

I am advised by my Minister to make no further concessions. Your Excellency is mistaken in ascribing to Mr. Sites any of the demands upon which I am now insisting, my action is directed in the interests of the United States Government in order to secure all the rights which the Treaty guarantees to citizens of the United States. It is solely owing to the misconduct of the

convey

gentry of Yen Ping and the neglect of the officials, that I am compelled to seek some guarantee that there will be no repetition of outrages at Yenping and other places.

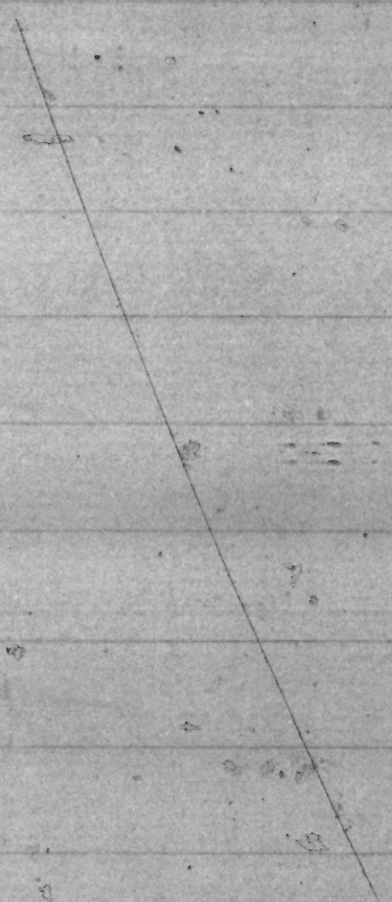
A careful perusal of the despatches which I have heretofore written to Your Excellency and to the Viceroy, will enable you to clearly understand what is now necessary in order to close the case.

Availing myself of the occasion to send you my best wishes,

I have &c

(Signed) J. C. A. Wingate

U.S. Consul.



Mr Bingay to Viceroy No.-

April, 14th, 1882.

Sir:-

On the 31st ulto., I had the honor to address Your Excellency in the matter of the assault upon Revd Mr Sites at Yen Ping.

Since then, on the 12th inst., I have received a despatch from Yeh, Acting Provincial Judge Fen Yu wherein he recounts a certain instruction which he had received from Your Excellency in the case. By it I learn that Your Excellency received on the 3rd of February an Express from the

the Board of War forwarding you a despatch from the Tsung-li yamên advising you "to exam-ine clearly and deal with the "case satisfactorily."

It seems to me a little sing-ular that this Express should have been received more than two months before any attempt is made to communicate with me upon the subject, and then only after I had requested action on Your Excellency's part. Have not some of your subordinates been dilatory in this respect.

I regret to say that the Acting Provincial Judge, in his despatch, makes state-

ments

ments which I cannot admit, and intimates no intention of conceding those points which are necessary to a settlement of the case. On the 14th inst. I received a call from Fang Taotai and I took occasion to reiterate to him the points upon which I must insist. Your Excellency will find in my former despatches clear statements of what my Government expect to be done by yourself and the other officials. From my just demands, I yielded — that which related to the arrest and punishment of the ring-leaders, and, at your own request, I consented to post-

"pone

"gone the matter of the chapels at Kienning and Shahsien. I am advised by the Chargè d' Affaires to make no further concessions in the case.

It is therefore useless for me to attempt to discuss the matter with any official who asks me to consent that the Methodist Mission be in any way restricted in their use of the building near the Little Water Gate in Yen Ping. Still wishing very much to settle the case without troubling the High Officials at Peking, I shall be glad of an opportunity once more to urge Your Excellency to yourself

give

give the necessary orders in this case; and for that purpose I propose to call at Your Excellency's Yamên at ten o'clock on Thursday next, trusting that it may be convenient for you to then grant me an audience.

Availing myself of the occasion to renew my assurances of respect and good wishes, I have &c &c

(Signed) J. C. A. Wingate.

Mr Yeh to Mr Wingate.

I have been honored with an instruction from His Excellency the Governor General and President of the Board, that on the 31st March, he received a communication from the U. S. Consul at Foochow - Mr Wingate - saying:

"It becomes my duty to again "bring before Your Excellency the "subject of the still unsettled case "of the assault upon the Revd "Mr Sites, in Yenping. I have "been most patiently awaiting the "carrying out of the very lenient "conditions of settlement to which

"I

"I have assented, but nothing
"has been accomplished.
"Since I last addressed
"Your Excellency on the subject,
"I have received several despatch-
"es from the U. S. Legation at
"Peking enquiring as to the
"progress of the case, and in-
"structing me as to my duty
"therein.
"In a despatch received
"some time ago, I am inform-
"ed that His Highness Prince
"Kung said in reply to a
"despatch from the Legation re-
"lative to this case, I have
"the honor to inform you that
"I have most positively instructed
"the

"the authorities of the province
"concerned to settle this busines
"in a satisfactory manner and
"at an early moment."

"May I ask if these instruct-
"ions have been received by your
"Excellency, and if I am to expect
"a settling of the case in accord-
"ance therewith.

"This coming to me, President
"of the Board, and with this in
"hand, I found that in this case,
"I before, on February, 3rd inst, had
"received from the Tsungli yamên
"a despatch of inquiry and then
"directed (You the Prov! Judge) to
"give me a detailed report. In
"reply you said. In this case

"I

I had already negotiated repeatedly with Consul Hingale and negotiations had already come completion, a communication had been prepared and delivered, and one could really have closed the case. To my surprise, Mr. Cowles formerly officiating as Interpreter for the U. S., now filling the post of Vice Consul, in a personal interview said that Rev.d Mr. Sites insisted upon taking the building in the said place and changing it into a chapel and that a proclamation must be cut on stone by the officials, things in the way

8

"of which there was an ob-
"stacle, and difficult to do -;
"I again complaisantly ne-
"gotiated back and forth with
"Consul Mingate, earnestly telling
"him to urge and order the
"missionary that he need not
"force one to what was difficult.
"Up till now I have not negotia-
"ted to an assent (on his part)
"resulting in procrastination
"in closing the case.
"I, the President of a Board,
"have joined in a report in re-
"ply (to the Tsungli Yamên's in-
"quiry)".
"At present, as this case,
"according to your report, has
"been

"been negotiated to a close to-
"its conclusion in hand,
"it seems as if it would not
"be difficult to close the case."

"Being now in receipt of
"the aforementioned particulars,
"it is fitting that I direct (you
"the Prov! Judge) to promptly get
"at the gist of the papers in the
"case and again negotiate to a
"satisfactory result, report and
"despatch, in the hope of prompt-
"ly closing (the case); yet further
"taking the facts as to your dir-
"ections to act and communic-
"ating them in reply to Consul
"Mingale to find as represented.
"Do not delay"

Having

Having been honored with the above, I find that in this case, I earlier received a despatch from the authorities that they had received correspondence from the Tsung li yamên that it was in receipt of a communication from the U. S. Chargè d'Affaires, Mr. Nolcombe, requesting that directions be given to deal with three points. I, the Provincial Judge, have already looked over the case and sent a detailed report in reply, and have sent a communication to you the honored Consul, to close the

case

case, then, conformably to the three points indicated by Mr. Holcombe, Chargè d'- Affaires.

Having now been honored with the above, it is fitting that I immediately negotiate with you by communication.

I therefore send this communication to you the honored Consul; I would trouble you to make yourself acquainted with my previous communication, and immediately reply by communication whether or not you can proceed conformably thereto, in order that directions be

given

be given to despatch and close the case.

A necessary communication.

April, 16th, 1882. (Kuanghsü, 8th year, 2nd moon, 29th day.)

Mr. Yeh to Mr. Wingate.

A note. — I reply without preface. —

I have just received viva voce — instructions from the Governor General that the whole Sites Yenping case be negotiated and equitably settled — with you the hon. Consul, in a personal interview, by myself the Acting Provincial Judge, and the Taotais Fang and Sheng, in the hope of closing the case. —

It is now proposed to — await you at 1 P.M. the 21th. instant at the Provincial —

Judge's

judge's Yamen. I hope then that at that time you will kindly call to negotiate face to face about it all.

I hope yet further for a reply. For this I shall be obliged.

I write this specially and avail myself of the opportunity to wish you promotion and peace.

With a card.

21st April, 1882. (4th of 3rd moon.).

Mr. Mingale to Mr. Yeh.

Foochow, April, 22nd, 1882.

I am sorry to have to say that in view of the character of your last two despatches on the subject of the assault upon the Rev.d Mr. Sites, and also from the apparent unwillingness of Your Excellency to concede what is clearly right under the treaty as shown by a late conversation with Tang Taotai, it seems to me that it would only be a waste of time to hold the conference you propose.

I

I have many times made known to you and also to His Excellency the Viceroy, the very lenient terms upon which I can consent to a settlement. I am sorry that His Excellency the Viceroy is unwilling to grant me an audience in order that I may press upon him personally the justice and reasonableness of the terms of settlement which I am authorized to offer. As it is, unless Your Excellency sees fit to modify your own views, or the Viceroy is willing to give direct orders in the case, it only remains

for

for me after again appealing to the Viceroy to report to the Legation at Peking and await instructions.

Regretting that I am not to have the pleasure of personally offering you my felicitations, I take this occasion to assure you of my wishes for your happiness and prosperity.

With a card.

Mr. Ho to Mr. Wingate.

I the Governor-General, on the 17th April received your, the hon. Consuls, communication, (saying),

"In the Yenping case,
"I on the 13th April in an inter-
"view with Fang Taotai informed him in a personal conversation of the conditions of settlement of the case. What my Government expects to be done in this case has already been reported clearly to you in my former despatches I have already yielded the arrest and punishment of the ringleaders.

"I

"I am advised by the Chargé d'
"Affaires to make no further
"concessions in the case. I
"wish very much to settle this
"case, I now propose to call
"in person on Thursday next,
"trusting at that time you
"will grant me an audience."

This comes to me President of the Board. Received.

I find that the features of the despatch and winding up of this case, were earlier communicated to you in detail. There is really no need of repetition. Since you, the hon. Consul, now request, I again take the several points that I ought to

reply

reply to you on, and append them below.

1st The disturbers of the peace, Ho Asheng, Huang Fu Tai, Chen Yang Tsai and Tiao Nun Ti, four men, have already been discovered, arrested, forwarded to the provincial capital, found, upon judicial examination had, to have at one and the same time created a disturbance, not to have been the principal instigators, have been beaten, and have worn the cangue and been exhibited as a warning (to others); the procedure being in all respects according to treaty and to the Chinese Statutes. Concession

is

is nowhere needed (in this) and what concession can be spoken of?-

2nd The building at the Little Water Gate was originally rented as a book-shop to sell good books: moreover there was no talk of its being rented as a chapel (or church hall for worship). One takes now the said building and restores it to the man (or men) originally residing there (occupying it). (who) within the room may chant liturgies and worship: why must they needs open the hall, and only then hold it to be propagating the doctrine? It is feared that as soon as one alters and builds, the —

population

population will again use as pretexts to prejudicing the aspect and being at variance with the original leave. This would not be so snug (or satisfactory) as to proceed as of old.

3rd. The putting forth of a proclamation by the Prefect of Ten ping, and the reporting that it was not at all Rev.d Mr. Sites that fired a gun; and the putting forth by me, President of the Board, in company with the Tartar General and the Governor, of a proclamation instructing the people to Extend protection according to the treaty. — all this

I

I have already agreed to carry out. One can take the proclamation, paste it upon a wooden board and hang it up from one place to place (as he removes). Should it be drenched by the rain or blown about in the wind, one can ask for the issue of another paper sealed, it from time to time appearing fresh and manifest to people's perception (eyes and ears); it can thus be long handed down, and be more readily observed than if cut on stone. Besides Chinese proclamations are not cut on stone and then obeyed, nor is it to be taken that not cut on stone they

they are not obeyed. You, the hon. Consul, ought also to know (this). Why need we again contend over this cutting on stone?

H.E. The money for taking care of his wounds; if Rev.d Mr. Siles is unwilling to receive it, let it be sent by Mr. Siles to help out the hospital expenses; this were also a good action.

In dealing with this case, I can only go as far as this. - I hope you, the hon. Consul will deliberate (whether this is or not) what is called "an equitable settlement of the case". - I, the President of the Board, can do no more

in

in the matter; moreover it is not a grave case, and I shall not again send you a communication in the matter.

As regards my receiving the several Consuls:- hitherto all have sent notes to propose an hour, in order that I might immediately decide and reply. If (the request) be appended to a despatch one cannot avoid the delay involved in looking over the case. On the 20th April I, President of the Board, repaired to the Review Ground to inspect the soldiery and held a military review: on the 21st. I received the Commissioner of Customs,

the

the 22nd was Yamên reception day for local civilians. For successive days I have had no leisure. It is fitting that at this time I communicate in this to you.

A necessary reply: I avail myself of the opportunity to wish you promotion.

April, 23rd, 1882. (Kuang hsü 8th year, 3rd moon 6th day).



Mr. Yeh to Mr. Wingate.

A note without preface.

I lately received your note in reply, repeated it to myself, and acquainted myself with it all.

On every thing about the Yen ping case, I have repeatedly sent you communications, as is on record.

Next, I was honored with the orders of the Governor General, and by note invited you the hon. Consul to pass over to my office that we might negotiate together, and settle this case equitably

bly, according to treaty.

This was my thought in sending the note.

I have now been honored by the Governor General's communicating to you in reply, item by item, the points proposed to be carried out, and by a despatch (to myself) to proceed conformably.

I employ this fresh note to bring this before you, and must hope that you, the hon. Consul, will find as represented and speedily settle, wind up and close the case.

Farther: the points now proposed to be carried out, are those Mr. Holcombe, Chargè d'

Affaires

Affairs requested be carried out. They have all now been carried to completion, and none of their intent been lost. If you the hon. Consul will collate them with the despatches you will know this.

I write this to bring it to your acquaintance, and avail myself of the opportunity to repeat my wishes for your happiness in promotion.

With a card.

April, 26th (1882) (3rd moon, 9th day).

Mr. Wingate to Mr. Ho.

Foochow, May, 8th, 1882.

Sir;-

I have the honor to acknowledge the receipt of your despatch of the 23rd April, in reply to my communication of the 17th in relation to the matter of the assault upon Rev. Mr. Sites at Yen ping.

I now respectfully present for your consideration a few points in the case, whereupon your Excellency seems to either misapprehend the facts in the case or to have been misinformed as to the nature of my former negotiations

negotiations with the various Chinese officials.

Your Excellency must surely have heard that on the 29th of November, 1879, His Excellency the American Minister requested His Highness Prince Kung to give orders in this case.

1st That rigid instructions be given to continue the effort to arrest and punish the men who were really the leaders in instigating and making the assault on Mr. Sites.

2nd That in some way as public as the accusation, it be declared that Mr. Sites did not fire a gun or give provoca-

tion

tion for the assault upon him, by any unlawful or improper act.

3rd That the Methodist mission be at once put in possession of their chapels at Yenping, Shaowin and Kienning; that the damage done to their property be made good to them, and the preachers foreign and native, be allowed at once to resume their work.

4th That some proper means be taken to remind the officials and people of Yenping that the owners of the property are the only proper persons to decide to what uses the chapel near the small water Gate in

Yenping

Yenping is to be devoted, so long as it is not used for illegal purposes; The best means would seem to be the placing of a tablet on the Chapel stating briefly that the treaty guarantees this right to the owner.

5th. That some efficient means be taken by proclamation or otherwise, to warn people against repeating such outrages, so that they shall feel that these offenses are a flagrant violation of treaties and cannot be committed with impunity.

In obedience to orders from the minister, the substance of these several points was

made

made known to Your Excellency by my despatch, January, 11th, 1881.

Subsequently in negotiation with your several officers, I consented not to insist on further arrests.

On the 8th of June last, you honored me with an audience in relation to Russian matters. At the interview, of your own accord you brought up the Yenping case. You then asked me to drop the matter of the chapels at Kienning and Sha-heien - I told you that I had consented not to insist on further arrests, but I could yield no more; - that I could only

only refer the matter to the minister. Subsequently being strongly urged thereto by your Officials I did consent to postpone the consideration of the immediate restoration of the Chapels at Kienning and Shahsien. I reported my action to Peking, and the Minister approved of my action. In the face of this, your Excellency asks "what con-
"cession can be spoken of?"

Your Excellency says, "The building at the Little-
"water Gate was originally leased as a book shop," to "sell good books, moreover there was

"was no talk of its being rented
"as a chapel. One now takes
"the said building and rectores
"it to the man (or men) original-
"ly residing there (who) within the
"room may chant liturgies and
"worship. Why must they needs
"open a hall and only then hold
"it to be propagating the doc-
"trine? It is feared that, as
"soon as one alters and builds,
"the population will again use
"as pretexts its prejudicing
"the aspect and being at varia-
"nce with the orginal lease.
"This would not be so satisfact
"ory as to proceed as of old."

I shall not in the con-

sideration

sideration of this case dis-
cuss with Your Excellency or
with any other official as
to what was the original
lease of the building near
the Little Water Gate which
the Methodist Mission have,
in accordance with treaty
rights used as a chapel, nor
as to what may be the opinions
of any parties as to any
matters which do not concern
them, and which may or may
not be used as pretexts for
disorderly conduct.

There is no present talk
of altering and building. Mr.
Sites was not altering the
building

building, was not even on preaching with open doors, and yet a mob incited by the Lieutenant, and encouraged by the negligence of the officials, made a murderous assault upon him. It is for this assault that my Government asks redress, and it is to guard against a repetition of such lawlessness that I, with the full sanction of His Excellency the Minister, have asked that certain action be taken by yourself and your subordinate officials.

The action that was deemed necessary has been hereinbefore

set

set forth.

It is because of irresponsibility and quibbling on the part of those you have designated to treat with me, and an unwillingness on your own part to issue direct orders that the case has remained unsettled. I learn from a despatch from Yeh, Acting Provincial Judge, dated April 16th, 1882, that he reported to your Excellency, among other things as follows: "To my surprise Mr. "Cowles formerly officiating as "Interpreter for the United States, "now filling the post of Vice Consul, "in a personal interview said that "Rev. Mr. Sites insisted upon taking the

"the building in said place and
"changing it into a chapel, and
"that a proclamation must be
"cut on stone by the officials &c
"&c."

Mr Cowles did not intermeddle in the matter. I sent him to see Yeh because, just when I hoped and thought an end of the case was at hand, I judged from his despatch that he was not really intending to grant that security for the quiet enjoyment of the Chapel by the mission, which I had insisted on.

Mr Cowles made his report to me, and the next day I wrote a despatch to Yeh wherein I recounted

recounted why I had sent Mr. Bowles to see him, and wherein I said "I shall accept no settlement which does "not admit the full right of "the Missionaries to use the "Chapel at the Little water Gate "as freely as they do their Chapels in any other part of the "Empire."

The Provincial Judge knew better than to report to your Excellency as he did. Mr. Bowles did not make a demand as from Mr. Giles, but as from me in behalf of the U. S. Government.

The Provincial Judge and your Excellency both know that no new

demands

demands were made by Dr. Cowles; that the matter of a stone tablet had been discussed for many months, and that I had come to an agreement with Sheng Taotai that the Mission should cut the stone, but that the officials at Yenping were to go and see it put into its place. Placing stones with declarations and prohibitions is no new or uncommon thing in this part of China.

It is because of this unsatisfactory action on the part of Yeh that I did not think it advisable to accept his invitation to a conference on the

26th

26th ult. At the Yamên of the Provincial Judge I was also to meet the Expectant Taotais Sheng and Fang. Neither of these two officials have any power to carry into effect any agreement or order they may make in the case. Yet I have talked hours and hours with both of them in this case. I once almost came to a satisfactory conclusion of the whole case with Sheng Taotai: the only difference being as to certain alterations in the proclamations to be issued, and which H. E. the U. S. Minister thought

thought should be made. But after Sheng had agreed with me, this conciliatory action had to be submitted to some ten or more officials with many of whom I am not even acquainted.

Your Excellency can give orders which will be obeyed, so can the Provincial Judge if he sees fit to do so. The Tsungli Yamên told Minister Angell that if your Excellency had not time to attend to the case yourself they would instruct you to appoint some one person with whom alone I should be required to negotiate.

Most

most certainly I shall yield a ready obedience to any orders I may receive from the U. S. Legation, Peking, but I do not gather from the instructions which I have received that I am to retract one iota of my demand that the missionaries are to be protected in their right to use the chapel at the Little Water Gate as freely as they may any other chapel in the Empire.

On the contrary, I am recommended for all I have done to secure this protection.

In your despatch you

are

are pleased to say "Moreover
"it is not a grave case and
"I shall not again send you a
"communication in the matter."
That is Your Excellency's judge-
ment but I cannot myself think
that a case which involves treaty
rights, which has been the subject
of repeated conferences between the
Tsungli yamên and the U. S. Legation
and which has demanded the corres-
pondence of His Highness Prince
Kung and His Excellency the
American Minister is business
of trifling import.

I am very sorry to be compelled
to trouble Your Excellency, but it
will be my duty to urge the de-

mands

mands of Justice until the case is settled.

I may not comment upon the internal administration of this Province, but when I hear the high officials speak of the turbulence or lawlessness of the inhabitants of any of cities or villages, I at once think of what I have myself seen in another Province.

For many hundred years the people of the Eastern part of Kwan tung were noted for their lawlessness, and, as the Chao chow braves were also noted for their personal strength and bravery, it was no easy matter

for

for the magistrate to enforce the laws. Life, liberty, and property were almost everywhere unsafe. Villages were banded together to resist the officers and levy black mail.

The Intendant Chang had the reputation among the Chinese of being an upright man, but he could not without special authority cope with the evil which had been growing for years. The viceroy, Jui Lin, saw that something must be done, and he despatched General Fang a native of the Department with orders to correct the evil. The General did not spare the guilty. He administered

ed

ed severe punishment, but all the people rich and poor are now blessed with quietness and safety. I have seen this with my own eyes. A Swatow-man, told me only a few days ago, that now any one, man or woman, could go anywhere in perfect safety even if known to be carrying $ 10,000 in silver.

Now the people of Fokien pride themselves on being scholars, who revere the Classics and understand the rules of politeness. They do not boast of piracies and robberies as did the Confederate villages near Swatow. Hence they do not re-

quire

quire such severe measures as Fang was compelled to use in Choochow. But their forgetfulness of what is due to others as shown in their treatment of Mr Sites and their reported unwillingness to obey the will of the Emperor, as declared in the treaties, shows a determination, which may indicate the beginning of a state such as formerly prevailed at Swatow. The seamen have always said that it was safe to send treasure into the country without a guard; that the people were honest and peaceable. But just now comes word that a Compradore in the Employ of

Gibb

Gibb, Livingston & Co., has been robbed of $18,000.- in the Yen ping Prefecture, and his nephew been murdered. May it not be just possible that the immunity of the rioters in the Sites case, may have encouraged the rogues to think they can begin to rob the treasure boats. I hope not; but when once the break is made in the Embankment, who can tell when the water will cease to run. One command from Your Excellency and order shall reign throughout Fukien.

I avail myself of the occasion to express to Your

Excellency

Excellency my sincere regard
and my wishes for your highest
happiness.

I have &c &c

(Signed) J. A. C. Winsor

U. S. Consul.

Gibb, Livingston & Co., has been robbed of $ 18,000.- in the Yen ping Prefecture, and his nephew been murdered. May it not be just possible that the immunity of the rioters in the Sites case, may have encouraged the rogues to think they can begin to rob the treasure boats. I hope not; but when once the break is made in the Embankment, who can tell when the water will cease to run. One command from Your Excellency and order shall reign throughout Fukien.

I avail myself of the occasion to express to Your Excellency

Excellency my sincere regard
and my wishes for your highest
happiness.

I have &c &c

(Signed) J. A. C. Wingate

U. S. Consul.

Yeh, Acting Provincial Judge
&c. – to Mr. Consul Mingate re –
a communication.

In the matter of the assault
upon Rev.d Mr. Sites at Yenping
it appears that I before had
the honor to receive correspondence
from the Tsungli yamên that they
were in receipt of the request of
Mr. Holcombe, Chargé d'Affaires, to
carry out three things. At the
time I requested you the hon.
Consul to deal with and close
the case.

Later, when the hon. Consul
sent a communication to the
Governor General laying before
him

him a request that he review (get at the pith of) and deal with the case, I had the honor to receive the Governor General's order to reply to you by communication on the several points on which I ought to reply, as is on record. On receipt of this order from the Governor General, I again brought to your acquaintance by note that the three things that Mr. Holcombe, Chargé d' Affaires requested us to do have already been fully carried out and I request then that you will close the case according thereto." This again is on record.

record.

I find on examination that up to the present I have not received a reply. It seems as if you, the hon. Consul, were not very well acquainted with my intentions in dealing with this case.

I now again go over it in detailedly. According to the Governor General's communication in reply.

"The Yenping Little water Gate building, return to the man (or men) originally residing there. They can still in the building chant their liturgies and worship."

This is the thing Mr. Holcombe,

Charge

Chargè d'Affaires, speaks of:
"The Chapel (Hall for the Exposition
of the Classics) return as before to the
man (or men) originally residing there."

Again:- "A proclamation to be put-
out by myself, the President of the Board
in company with the Tartar Gen-
eral and Governor to extend
protection according to treaty."

This then is the thing Mr.
Holcombe, Chargè d'Affairs, speaks of:-
"A proclamation to be posted by
the Governor General and Gover-
or as a precaution for the
future."

Here the three things Mr.
Holcombe, Chargè d'Affaires,
requests done are all of them

fully

fully carried out. None of their intent has been lost.

Then: a proclamation cut on stone as you the hon. Consul request is what is not in the treaty; in the way of it there is an obstruction and it is very difficult to do. Besides, the Governor General is an exception- al accommodation has consented that the proclamation may be pasted upon a wooden board and be hung up from place to place with them (as they move.) If wind tatters or rain drenches it, one can again request that another be issued, enabling it to be long handed down:-

not

not different from cutting it on Stone.

Coming to what you the hon. Consul before, in reply to my despatch, in your communication, said; "In the demands upon which I am now insisting my action is directed in the interests of the United States Government in order to secure all the rights which the treaty guarantees to citizens of the United States."

This point has now been carried out. You the hon. Consul on getting a perusal of the proclamation by the three high authorities instructing the literati and others, will

then

then know that it is truly
to extend protection according
to treaty: that hereafter it is
not allowed to defraud U. S.
citizens of their rights, annoy
or harm. What aversion or
doubt you the hon. Consul have,
that you do not close the case, I
the Provincial Judge cannot ex-
plain to myself.

It is fitting that I again
send a (this) communication
to you the hon. Consul, to
find as represented. I
would trouble you to examine
the three points Mr. Holcombe,
Chargé d' Affaires, requests us
to carry out, and to compare

these

there for conformity with the purport of the Governor General's communication in reply, and to immediately take and close the case and not further delay.

I hope, further, for a reply. For this I shall be obliged.

A necessary communication

May, 8th, 1882 (Kuang Hsü 8th year 3rd moon 21st day.).

Despatch 115.
Inclosure 2.

46/1882.

Mr. Holcombe to Prince Kung.

May 25th, 1882.

Y. I. H.:—

In the matter of the assault upon Rev. Mr. Sites at Yenping in Fukien province, I regret exceedingly to be forced to appeal again to Y. I. H. to issue such orders as will positively secure the immediate closing of this case upon the basis of the terms specified by me in my despatch of April 7th ultimo, which terms have been accepted by Y. I. H.

It seems to be substantially impossible to secure any prompt action taken in good faith on the part of the Fukien Authorities in this case. In proof of this allow me to remind Y. I. H. that upon the 14th day of January last you wrote me that you "had instructed the authorities of the province concerned

to

"to settle the business in a satisfactory manner
"at an early moment". The instruction of
Y. I. H. reached the Viceroy of Fukien upon
the 3rd of February. Yet no action was
taken under it and no communication made
to Mr. Consul Wingate in the premises until
the 12 day of April, 69 days after your
instruction was in the hands of the Viceroy!
And thus an instruction of Y. I. H. requiring
immediate action was deliberately ignored for
more than two months.

I am in receipt of a full report from
Mr. Consul Wingate of all recent correspondence
and conversation upon this subject, and
am able now to say positively that the
charge made by the Provincial authorities
and reported to me by Y. I. H. in your despatch
of April 4th, is totally devoid of foundation
and was made simply as a pretext for delay.

Mr

Mr. Cowles was sent by Mr. Wingate to discuss the business with Taotai Yeh, and simply said what he was told to say. He introduced no irrelevant questions.

Upon the 23 April H. E. the Viceroy wrote the Consul in this business and in his despatch said — "Moreover this is not a grave case, and I shall not again send you a communication in the matter".

This is, as Y. E. is well aware, a very grave business, a case of unprovoked and murderous assault of an American citizen, and other violations of treaty rights, and I am surprised that H. E. the Viceroy should have seen fit to address the Consul in such language regarding it.

I have instructed Mr. Consul Wingate to settle the case upon the basis already referred to. He will insist upon all the

points.

points therein laid down, and will not be sustained in, or permitted to make, any further concessions.

And I most earnestly beg Y. I. H. to relieve me from further anxiety in this case by sending such positive and stringent orders to the Provincial Authorities of Turkey as will cause them to put an end to the business at once upon the terms contained in my despatch of April 7th as affected by my further despatch of April 26th, and without further delay or prevarication.

I have, etc.

(signed) Chester Holcombe

Despatch No. 115.
Enclosure 3.

Mr. Holcombe to Mr. Wingate.

No. 16. May, 24th, 1882.

One Enclosure.

Sir; —

I have received and read with great care your despatch number 25. of May, 10th, which describes recent negotiations in the Yenping case.

Your course as therein described is fully approved and commended.

There was no room for any honest misconstruction of my despatch of January, 5th, to Prince Kung.

The

The phrase "restoration of "the Chapel to those who have "occupied it for many years," could only mean its restoration to the missionaries for missionary purposes. I am however free to admit that, upon rereading that despatch in April last when I was about to address Prince Kung again in the Premises (see my despatch No. 12. Inclosure 2.) and remembering my own experience with the Viceroy Ho and Taotai Yeh in 1877 in which these gentlemen showed a constitutional predisposition to quibble and

evade

wade, it occurred to me that, under the phrase quoted above, the Provincial Authorities might seek to comply with the letter yet destroy the spirit of this condition by giving the Chapel back to the missionaries, but at the same time preventing its use for missionary purposes. To prevent all possibility of such action I elaborated the idea as seen in my despatch of April 7th to His Imperial Highness Prince Kung.

My despatches numbers 12 and 13 with their Enclosures will form a clear guide

to

to you in the further conduct of this business and not a point can be waived or conceded by us beyond the line therein laid down. The premises must be restored to the missionaries and they must be protected fully fully in the occupancy and use of them as a chapel free from all hinderance or molestation. You may say to the Viceroy and to the Taotai for me, if you deem it best, that the Christians have, under the treaties, the same rights to the public and free use of a chapel at Yenping for purposes of religious worship.

That

that the Buddhists, Taoists or
Confucianists of that city have
to the use of their temples; and
that the Government of the
United States will insist that
this right be fully secured to
them. If a Buddhist or Confu-
cian temple can be opened for
public worship at Yenping
then this building can and
will be opened for Christian
services. If the Buddhists
may placard the name and
designation of a temple out-
side its main entrance, then
a sign or other mode of
announcing the use to which
the building concerned is to
be

be put, may be displayed outside the "Little Water Gate Chapel".

I enclose a copy of a further despatch which is
1/16 being addressed to Prince Kung in this business.

Trusting that no further delay may arise to interfere with the immediate settlement of this case.

I am

Sir &c

(Signed) Chichester Fortescue.

Enclosure

1. Mr. Aylesbury to Prince Kung.

46/1882. May, 25th, 1882.

Treaty to the President for Senate July 4, 1882 Apply



made

Shanghai, China.

May 29th. 1882.

Hon F. T. Frelinghuysen.

Secretary of State.

Sir,

I had the honor on May 7th to telegraph you that I had gone to Corea and on the 27th instant I telegraphed you that I had returned from that Country with the "treaty made and intercourse established".

I now have the honor to forward herewith in the Despatch bag of the U.S. Consulate-General

One original in English and

One original in Chinese

of the treaty made on the 22nd instant at Yin-Chuin. Chosen. by myself and the two commissioners. duly appointed on

the part of the government of Chosen.

This treaty is the same, in its essential features, as the draft, No 4, forwarded to you in my communication of April 28th, and was agreed to without any political consideration whatever, and only upon the promise, which I had previously made and reported, that I would forward to the President of the United States, a letter from the King of Chosen, stating the political relations existing between Chosen and China. This letter with a translation accompanies this despatch, and will, I trust, meet with such a response from the President as it may deserve.

I also forward herewith another communication from the King of Chosen, with a translation, which is in answer to one that I had the honor of having from the President

of the United States to Corea.

I also forward with this despatch the original in Chinese, together with a translation in English of the document presented to me by the Corean commissioners as an evidence of their power to make the treaty.

Owing to the early departure of the mail I have only time to say in this brief despatch that the whole transaction was of the most friendly character, not only on the part of the officials but also of the people of the country. The treaty was signed in view of the ship in a tent erected on the shore by the Corean commissioners. We were represented by a large number of the officers of the U.S.S. Swatara and by a file of marines bearing the American flag. On its

completion the Swatara fired a salute of twenty-one guns, being the first salute ever given by any western nation to the King of Corea.

This friendly treaty was signed very near the spot where the collision occurred between our naval forces and the Coreans in 1871, and thus obliterates, at least from the minds of the Coreans, the memory of that event. I hope that it may be considered of sufficient importance to American interests in the East to secure its ratification.

At my request the government of Corea has issued instructions to the authorities of the three open ports to receive in a friendly manner the visits of any American vessels of war that may be directed to go there. You will, no doubt,

see the importance of such visits,
pending the ratification of the treaty.

A detailed report of the whole transaction and the correspondence connected therewith will follow by the next mail, thus ending under my instructions the special duty to which I had been assigned by the Honorable Secretary of State.....

I have the honor to inform you that on the 28th instant I telegraphed to the Honorable Secretary of the Navy for permission to remain abroad on naval duty, and that I have this day written to the same effect to the Navy Department. If this is granted I will send home the remaining two copies of the treaty, either by mail or in such way as the Honorable

Secretary of State may direct.

I have the honor to be

With great respect

Your Obedient Servant

R. W. Shufeldt

Commodore U.S.N.

光緒八年三月二十八日統理機務衙門奉
旨着申櫶為全權大官金宏集為
全權副官前往仁川與美國全權
大臣妥議和好通商條約欽哉

Translation of an
Edict issued by the King
of Corea on the 28th
day of the 3d moon
of the 8th year of the
Reign of Kuang Hsü
(May 15th 1882) to
the Office of the Royal
Cabinet.

"Shin Hsien is hereby
appointed Minister and
Chin Kung Shi assistant
Minister with full
powers to proceed to
Jen Chuan and there
confer with the American
Minister Plenipotentiary
in a friendly and
proper spirit and negotiate
in a satisfactory manner

a

a treaty of commerce.

"Repeat this."

Creation of Full Power
of the Commissioners
on the part of Corea
to make a treaty.

Enclosure No. 1.

大朝鮮國君主敬書於
大美國伯理璽天德竊聞
貴國政治公平正直久欲通好無緣為歎今
承
貴國主先遣大員來此議約茲特派全權大臣
經理統理機務衙門事申穆全權副臣經
理統理機務衙門事金宏集與之計議不
日即可畫押仍由薛總兵賫回面呈即乞
逕為
修多羅室
批發派員前來互換以便吾兩國人民從此益敦
和好有厚望焉專此佈復敬候
選祺
大朝鮮國開國四百九十一年即中國光緒八年四月初五日

No 2

Translation

The King of Ta Chow Heim Kwo (Corea) sends the following letter to the President of the United States.

The King has heard that the Government of your honorable country is conducted in a fair and equitable manner and is just and upright in its dealings, and it has been his desire for a long time to enter into friendly relations with the United States but he regrets that he has been unfortunate in this respect.

As the Chief Magistrate of your honorable country you have now defended a

High

High officer with a commission
to ground to bona to negotiate
a treaty and his Majesty would
state that he has appointed
as a Commissioner to treat
with your Representatives,
Chen Kuan, President of
the Royal Cabinet and
Chin Kung Chih, Member
of the Royal Cabinet, both
being vested with full
powers to act, and in
a few days the treaty will
be ready for signature and
seal when it will be
handed to Commodore
Shufeldt to convey to
Your Excellency the
President

President of the United States
in person.

The King begs that the
President of the United
States will have the treaty
ratified as quickly as possible
and depute an official
representative for the United
States to proceed to Corea
for the purpose of exchanging
ratifications to this end
that the citizens and
subjects of the two countries
may henceforth reap
substantial benefit and
that the friendly relations
existing between them
may be placed on

a

a still firmer basis; Him
is the earnest wish of
His Majesty

His Majesty in addressing
this letter to His Excellency
the President of the United
States, avails of the opportunity
to present his compliments.

Dated the 491st year of the
founding of Ta Chow Kuen
Kuo (Korea) and the 5th
day of the 4th moon, of
the 8th year of the Reign
of Kuang Hsü

from the King of Chosen
to the President of the
United States.

Enclosure No. 2.

美國亳無干涉除派員議立條約外相應備文照會
至照會者
石照會
大美國伯理璽天德
大朝鮮國開國四百四十八年即光緒八年三月二十八日移

大朝鮮國君主
照會事竊照朝鮮素為中國屬邦而內治外交向來
均由
大朝鮮國君主自主今
大朝鮮
美國彼此立約俱屬平行相待
大朝鮮國君王明允將約內各款必按自主公例認真照
辦至
大朝鮮國為中國屬其一切分內應行各節均與

為

Letter from King & Chiefs
& the Resident & the U.S. stating
the relations which did subsist between
China & Corea. which do not
affect the Sovereignty & Corea

Translation

The King of Tabon Boien Kwo (Borneo) makes a communication to the President of the United States:-

The Bhou Boien country (Borneo) is a dependency of China, but the management of her governmental affairs, home and foreign, has always been entrusted in the sovereign.

Now as the Government of the United States and Borneo are about to enter into treaty relations, the

the intercourse between the
two nations shall be
carried on in every respect
on terms of Equality
and courtesy, and the
King of Dona clearly asserts
that all of the articles
of the treaty shall be
acknowledged and
carried into effect
according to the laws
of independant states.
In the matter of
Dona being a dependency
of Chimea any questions
that may arise between

them

them in consequence
of such dependency,
the United States shall
in no way interfere.
The King has accordingly
deputed Commissioners
for the purpose of
negociating the treaty
and now as in duty
bound addresses
this Communication
for the information
of the President of
the United States.

A necessary
Communication.

Dated

Dated the 491st year of
the founding of
the Ta Chou Hsien Kuo
(Corea) and the 28th
day of the 3rd moon
of the 8th year of
the Reign of Kuang Hsü

<

>

From the King of Corea
to the President of the
United States. Affixing
the ratifications & treaty
between China and Corea.
Enclosure Ltr 3.

Letter of July 28: Ex. Docs

[redacted] June telegram commencing remonstrance of magistrate which seems to render further visits unnecessary at this time

No. 116. Ten Enclosures



Legation of the United States.

Peking, May 29th, 1882.

made

Chester Holcombe to

the Secretary of State.

Subject.

Assault upon Mr. Zuck at Le Cho.

Synopsis.

Covers further correspondence, and details fresh proofs of the incendiary conduct of the Sub Prefect. Vigorous language necessary. Waiting anxiously for answer to telegram of May 13th. Ask approval of action as herein described.

No 116. Ten Enclosures.

Legation of the United States.
Peking, May 29th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State,

Sir:—

In my despatch No 102. of the 13th instant the Department was furnished with an account of the recent illegal conduct of the Sub-Prefect of Te Cho, and of the assaults upon Messrs Buck and Taylor by a mob in that city. Enclosure 12. of that despatch was copy of a letter addressed to H. I. H. Prince Kung asking reparation for the insults and injuries to which my representatives had been subjected, and enclosure 14. was a translation of Prince Kung's response. As this was not satisfactory

I

I immediately telegraphed you as per enclosure 15.

Upon the 17th instant I addressed Prince Kung again in the business, commenting rather plainly upon the representation of the Governor of Shantung that the first attack on Mr. Geeck was nothing more than "unavoidable crowding" of villagers drawn together by innocent curiosity. I also explained more in detail the insolent conduct of the Sub Prefect in official interviews with our officers; and intimated plainly that some more vigorous measures must be taken to put matters at Te Chs on a proper footing.

1/116

Upon the 19th instant I received a further letter from Rev. Mr. Smith which gives additional particulars of the fictitious charge brought by the Sub-Prefect

2/116

by cable in response to my telegram of the 13th instant.

I beg your approval of the steps taken by me as herein recited.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

Enclosures.

1. Mr. Holcombe to Prince Kung.
   41/1882. May 17th, 1882.
2. Mr. Smith to Mr. Holcombe.
   23/1882. May 12th, 1882.
3. Complaint of Chang-wan-liang's wife.
4. Proclamation by Sub Prefect.
5. Mr. Holcombe to Mr. Smith
   21/1882. May 19th, 1882.
6. Mr. Holcombe to Prince Kung.
   44/1882. May 20th, 1882.
7. Prince Kung to Mr. Holcombe
   46/1882. May 24th, 1882.

(8

Teh the Magistrate. This petition was also at once laid before the Foreign Office

These several papers bring the history of matters at Te Cho down to the present; explain themselves, and need no special comment from me.

I have spoken with the Ministers of the Foreign Office several times about this business, and have invariably been met with the assurance that it should be satisfactorily adjusted. These gentlemen are however disinclined to act with the vigor and thoroughness which a case of such gravity as this demands, and I doubt exceedingly whether any adequate reparation for the gross offences against our officers and people at Te Cho will be secured without vigorous and positive demands from our Government. Hence I am waiting with great anxiety instructions

Sec

Kung in a despatch a copy of which is enclosed. In it the incendiary intent and character of the proclamation was pointed out, and it was intimated that the Government of the United States would hold the Government of China responsible for any loring or injury done to its citizens as a result of the improper conduct of the Te Cho Sub Prefect.

Upon the 24th instant a response was received from Prince Kung to my despatches of the 17th and 20th (enclosures 7. and 8.) In it he says that he has sent secret instructions by "flying courier" to the Governor of Shantung that he must positively must investigate and satisfactorily close these matters.

Upon the 25th I received a letter from Mr. Smith giving further details, and covering a petition addressed to me and giving briefly a summary of the more recent oppressive conduct of the

Tel

Prefect against a young Chinese woman
at Ku Chui pu, in which the moral
character of the missionaries was
implicated, and also gives some
interesting details in regard to the
posting of proclamations within the
Sub Prefecture of Te Cho. This letter
3/116. was accompanied by a petition from
the mother-in-law of the young woman
implicated at Ku-chui-pu, and a copy of
4/116 an incendiary proclamation issued by the Te
Sub Prefect, and which is well calculated to
arouse and exasperate the populace as to
place the lives and property of the
5/116. missionaries in serious peril. I thanked
Mr. Smith for these papers and requested
him to keep me promptly informed of
all events of importance in his
neighborhood.

I at once laid the papers received
from Mr. Smith before H. I. H. Prince

Kung

8. Mr. Smith to Mr. Holcombe.

25/1882. May 19th, 1882,

9. Petition of Rev. A. W. Smith.

10. Mr. Holcombe to Prince Kung.

47/1882. May 26th, 1882,



Despatch No. 116.
Enclosure 1.

No. 41/1882.

Mr. Holcombe to Prince Kung.

May, 17th, 1882.

Your Imperial Highness; —

I have had the honor to receive your despatch of the 13th instant in the matter of the assault upon Messrs Luck and Taylor at Tê Cho and the improper conduct of the Sub-Prefect of that city. In it — Y. I. H. remarks that a letter had been received from the Governor of Shantung which recited that the villagers from all sides had come into the city to pay their taxes; the people flocked

flocked together to see the Consuls'
party and their ponies running
along the streets and an unavoid-
able crowding was the result.
The Sub-Prefect wrote in excellent
terms to pacify those gentlemen,
and he also promised to issue a
proclamation to forbid this con-
duct on the part of the people.
Y. I. H. adds that you have
sent a copy of my despatch to
the Governor requesting him
to order a rigid investigation,
etc.— etc.—

In response to Y. I. H
I regret much to be forced to —
say frankly that the language
of the Governor quoted above can

only

only be regarded as making light of a very serious business, and I am not able to see any reason to expect such a settlement of these matters as my Government will undoubtedly demand from the course H. I. M. has seen fit to take.

H. E. the Governor of Shantung characterizes a mob of three or four hundred persons who hooted, hissed at, shouted "Yang Kweitz" (foreign devil) and pelted the official representatives of this Legation with mud and stones at the very gate of the Sub-Prefect's Yamên, as an "unavoidable crowding

crowding"! He declares that their abusive language and violent conduct were merely the natural expression of a little curiosity! In view of this language I may be pardoned for inquiring to what extent foreign officials may be insulted and assailed with violence before the Government concerned may hope to secure the grave and serious attention of the Governor of Shantung to the offenses committed!

In all sincerity I must say that it can only be a matter of deep regret and surprise that the Govern-

or

or should use such language in regard to the mob at Tê tho. For the facts of the case are so positive and well known that this language can have no other effect than to raise a grave doubt as to his intention to do justice in the premises.

I must also express my surprise and regret that Y. I. H. should have seen fit to communicate to me a report from your subordinate at Chinanfu which is so contrary to the actual circumstances of the riot. That it was something far more serious than "unavoidable crowding" is manifest from the abusive language used and the

missiles

missiles thrown at Messrs
Tuck and Taylor. That the
crowd was not villagers gath-
ered from curiosity is also man-
ifest both from the abusive langu-
age used, the missiles thrown,
and from the fact that shop-
Keepers and clerks were seen
to issue from their places of
business and to join in the
disturbance. Further, Messrs.
Tuck and Taylor had been
in Sè Cho 24 hours in per-
fect peace and quiet, and had
ridden unmolested nearly a
mile on their way to the Yamên
entirely free from abuse or vi-
olence, without even appear-
ing

ing to excite the curiosity of any one. It was only the moment they left the Sub-Prefects Yamên that they found a mob gathered to insult and abuse them.

The second attack some 20 days later was of a nature precisely similar to the first, excepting that it was more severe and longer continued. In it again Shop-Keepers and clerks joined and persons were identified by Messrs. Tuck and Taylor as standing in front of their residences throwing bricks and stones at the foreigners and shouting out vile and abusive

language

language. Will the Governor of Shantung assert that this assault also, which lasted for nearly two hours during which Messrs. Luck and Taylor were driven a distance of nearly two miles from one end of the city to the other in vain effort to escape the mob, and during which they made ineffectual appeals to the police for protection, will the Governor assert that this attack was also an "unavoidable crowding" by simple villagers drawn together by curiosity?

It is further remarked in Y. I. H. despatch under reply that the Te Cho Sub Prefect

wrote

wrote in excellent terms to pacify Messrs. Tuck and Taylor and promised to issue a proclamation. It is true that the Sub Prefect did write to those gentlemen giving the same absurd excuse for the first mob which the Governor has seen fit to repeat. It is true that he promised to issue a proclamation. And it is also true that he promised in writing to arrest and punish the rioters, which the Governor does not mention. Indeed if profuse promises would right wrongs all cause of complaint would have been done away with at once. But the Sub-Prefect neither

neither kept nor made any effort to keep either of these promises. Not a man was arrested, and of the proposed proclamation not a single copy was posted. By his action regarding the first riot he directly prepared the way for and connived at the second.

But this is not the only cause of complaint against the Sub Prefect. While he used over polite language towards the deputies from this Legation in his written intercourse with them, he was exceedingly rude and offensive in his personal conversation

sation. He refused to meet them at the door of the reception room of his Yamên. He first addressed Mr. Taylor as "Missionary Taylor". At his office he called them — "Teacher Tuck" and "Teacher Taylor", and when protest was entered against these terms, he positively declined to say in the usual form "Mr. Consul Tuck", and Mr. Interpreter Taylor", and called them "Lao Asiung". And his whole tone and conversation was offensive in the extreme.

There is strong reason to believe that both attacks upon

upon Messrs Tuck and Taylor were the result of a preconcerted arrangement made at the instigation of the Sub-Prefect. A short time prior to the arrival of those gentlemen an honorary umbrella and a tablet had been presented to the Sub-Prefect by the literati of Ié Cho as a reward for his conduct towards foreigners and native Christians, and at this presentation the Sub Prefect publicly declared that be the consequences what they might, so long as he held office in Ié Cho, be it one year or ten no foreigner should ever come to

that

that city in peace. A paper was drawn up and signed by some 200 of the residents of Ê-cho pledging themselves to assail with abusive language and to pelt with mud and stones any foreigner who might appear in their streets. That the Sub Prefect had to do with the preparation of this paper is certain, for he warned those who signed it not to take any more violent measures such as would endanger life, as that might get him into serious trouble.

Still further, upon the 18th. of April he sent three underlings of his Yamên to the village

of

of Ts'u Shui p'u to arrest a young Chinese woman, a Christian, who was married last December, upon the charge that shortly after her marriage she had given birth to a child with foreign features. The girl in question had never given birth to any child, and the libelous charge was started to punish her father for having had to do with the Nu Hsia Shih case (he is a Christian); to ruin the character of the native Christians and foreign missionaries, and to stir up the people against them. And on the 21st April he sent several

several Constables again to the same village, to extort forced evidence to the false charge he had caused to be made three days before. I enclose the petitions of the parents of the girl and of her husband for the inspection of Y. I. H.

I also enclose a detailed account by Mr. Interpreter Taylor of the circumstances connected with the second visit of himself and Mr. Zuch to Te Cho for which I beg a careful examination at the hands of Y. I. H. From it you will see that I have made no exaggerated statement of the culpability of the

the Sub Prefect, and that my Government has good ground for holding him responsible for the recent occurrences at Lê Cho.

And I must repeat in conclusion that the steps taken by Y. I. H. in this business fail altogether to meet the gravity of the case and are not such as my Government will accept.

I must therefore beg Y. I. H. in due regard to the good relations at present existing between China and the United States, to reconsider your action, and to seek some

more

more vigorous and positive
manner by which to right
the very serious wrong done.

I have the.

(Signed) Chester Holcombe.

Despatch No. 116.

Inclosure 2.

Mr. Smith to Mr. Holcombe.

No. 23/1882. May, 12th, 1882.

Sir;-

On the 11th inst. I had the honor to receive your two communications of April, 28th and May, 4th in reference to the proceedings of the Sub-Prefect of Ji-chu. In my last letter to you, I was unintentionally, led into an error as to the precise nature of the second visit made to Ki'u shui p'u (苦水舖) by men from the Ya-mên. This error arose from the absence of the principals in the case at Chi nan Fu, and although

although of no special import-
ance, should perhaps be noted.
It is not demonstrably certain -
although highly probable - that
this second visit was with ex-
press reference to the matter of
the first visit. The casual pres-
ence of a high official in his
district, engaged the attention
of the Sub-Prefect on the first
day set for the examination,
and the day to which it was
postponed, chanced to be the one on
which Mr. Consul Luck made
his second entry into Sê cho.
In his interview on that occa-
sion, Mr. Luck called the at-
tention of the Sub-Prefect to
this

his enquiry at Ku shui P'u, and requested an explanation. The magistrate as was expected denied any knowledge of the affair, affirmed that no such individual as Kao êrh (高二) was in his Yamên, and instead of ordering a prompt inquiry (or affecting so to do) said in express terms that he would have nothing to do with the matter (并不管).

I then undertook to produce collateral evidence, which while it would not be final, would enable Mr. Luck to predicate his statements upon personal examination of witnesses. To compel the attention of

any

any witness, was obviously impossible. Of the four persons concerned, (one constable and three securities), two feigned sickness, and failed to appear. The constable and a man named Wang (王), one of the three securities, alone came. The facts to which they testified were the same as those already presented in my letter of the 20th, with the exception of omitting all reference to the words 'like a foreigner.') Of the use of this language they affected entire ignorance, although themselves the medium through whom the matter had been made known

to

to the Chang family. The admitted motive for this untimely reticence was fear of consequences with the Prefect should the case be pressed, but the apparent effect of it was to make my former complaint so far as the missionaries were concerned, seem groundless, while leaving the remaining matters as they were.

I have now taken steps to remedy this flaw in the testimony, so far as I can, as follows. The main facts are undisputed, and indisputable, what is wanted is the positive

testimony

testimony of some one to the actual words spoken and things done on the date given. This will make a future denial, like that of the Sub-Prefect to Mr Luck, futile. The wife of Chang wan Liang (張萬良), whose daughter in law was accused, has personally appeared before me, and made a full statement of all the circumstances — substantially as reported to you. — This statement has been taken down in writing, read to the woman, (who is a person of decision and intelligence) and she has affixed to it her mark, and in my pre-

Since

sence acknowledges it as her statement, to which she professes herself willing to answer anywhere and at any time - This declaration is inclosed, marked A, and will, I trust, serve as proof positive that the original accusation was as represented.-

In his last interview with Mr. Luck, the point of the posting of the missionary proclamations having been raised, the Sub-Prefect declared that they were actually posted at that time on the city gates. This statement Mr. Interpreter Taylor denied. The matter resolving itself into a mere issue of veracity, the

Sub

Sub-Prefect agreed to send a Yamên runner the next day at 8.30 A.M., to accompany Mr. Taylor, and point out where the proclamations were. Of course the interval allowed time to issue any number of proclamations if desired. Yet on making the rounds, the Yamên man was unable to point out any such proclamation. Some hours later, however, I sent out and ascertained that one copy (at least) had been posted after all. This strange behaviour was adapted to excite suspicion, which it appears is fully justified. I have been to the trouble of

sending

sending a man around to a considerable number of market-towns within the jurisdiction of Jê Chow, to ascertain whether the missionary proclamation is or has been posted. Although the magistrate expressly promised to post it in every place (各處) within the jurisdiction of Jê Chow, I have been unable to learn that it ever has been posted in more than two villages — that of Ti Ch'i (第七) where the building so long in dispute is situated, and Yu Shui K'u, the nearest village in Jê Cho to our head quarters. In all other places visited by my

messenger

messenger, it was neither to be seen nor heard of. Another proclamation, however, of much significance, there was, and is, almost everywhere, the true character of which was revealed by an accident. My messenger has been in the habit of attending fairs to preach, and sell books. In one village which he visited, the local constable chanced to be a relative, and therefore well disposed to him. He took my man to one side, and privately warned him not to attend any more fairs within the Lê Chow district, as he would be arrested if he did. The constable then pointed out

out this proclamation, which denounced 'Heresies' 'tail-cutting' &c, and offers a reward of Rs 50 for the apprehension of a genuine 'Heretic'. In times of great excitement - like that of our clipping of 1877 - such Proclamations were not uncommon, but at the present time we have heard no whisper on the subject of any kind. The real animus appeared unmistakably in a revelation which this Constable made to his relative. At the time when the proclamations were given to the Constables, the magistrate gave verbal instructions that in case any

preacher

preachers of the Jeh Su Chiao were found propagating their doctrines, they were to be arrested like other Heretics, and the decision of their case, including all responsibility for their seizure, would lie with the magistrate himself. A copy of this proclamation is Enclosed, marked D. It is dated on the 6th of the 3rd moon - the day before the one on which the few copies of the Missionary proclamation were put out; but both Constables and others declared that it was not posted until about twelve days later - in fact immediately after Mr. Luck last visited the

magistrate.

magistrate. With this explanation, the meaning is plain. It was plainly intended to neutralize the very trifling effect which the isolated copies of the missionary proclamation might have produced, and at the same time appear by the anterior date to have no reference to the subject. It would at the same time render it impossible to preach Christianity anywhere within the limits of the jurisdiction of Lê Chew, without the risk of summary arrest. Your attention has not been formally called to a circumstance which makes it impossible

impossible to be secure in any particular of our rights, as long as this magistrate holds his present office. This is his definite and explicit promise to the gentry of Lê Chow, at a feast in his own yamên, and in acknowledgement of a complimentary Tablet and Old age Umbrella as a tribute to his hostility to foreigners, that whether he is in office one year or ten, foreigners shall have no peace here - Our information is - from an Eye witness, whose only motive for imparting it, was his friendship for our Helper (his brother in-law) whose daughter

the

the magistrate is now defaming.

Our long struggle with this official, the mobbing of Mr. Luch in Ti Chow, the recent proclamations, and especially the vile notoriety of the Wu shui Pu case, have filled the entire country with the wildest rumours, such as that the Jeh Su Chiao is to be driven out, its obstinate adherents punished, the new foreign houses to be pulled down, &c. &c., all of which have an air of great credibility from a Chinese point of view. These things are the ones at which the magistrate obviously aims, and if he has been now and then baffled, it is not for

lack

lack of will that he has adopted a new tactic. - It is perfectly obvious to me that unless the United States Government can secure his removal from his present post, it can neither obtain the treaty rights of Christianity in this region, nor protect the lives of its citizens.

I have &c.

(Signed) A. H. Smith.

Enclosures.

A. Statement of Chang Kuo Shih.

B. Proclamation by Sub. Prefect of Lê Chou

Despatch No. 116.
Inclosure 3.

Complaint of Chang nan liang's wife.

Complainant deposes that her maiden name is Kuo. She is the wife of Chang nan liang, and resides at Ku shui pu, 40 li South of the city of Tê cho. She prays the official favor in ordering a rigid examination to be made regarding a malicious slander got up with intent to vilify the reputation of her daughter-in-law, to the end that her honest reputation may remain unsullied. Complainant is a frugal woman engaged in agricultural pursuits, and is a law abiding subject. On the 1st day of the

3rd

3rd moon the local constable named Fu Yueh, came to complainant's house and said:- "There is a woman, "taken into your home by marriage, who is a follower of "the Christian religion, etc.- I want your husband to go with "me to the "Kung Ne Inn" to "see the man Kao Êrh on important business." - Complainant answered "my husband is gone out to work." — Fu Yueh went away but returned soon after and proceeded to make inquiries of the neighbours - He said "the man Kao Êrh is determined to take the neighbors into

into the city to make inquiries."
Complainant being ignorant of
what it all meant, was willing
to go hereof, she accordingly
followed Fu yueh to the "Kung
No-Yiin" and saw Kao êrh, but
Kao êrh would not speak to com-
plainant in a plain manner.
Then came forward Wang Ên Du
with Chang Chin Hsiu and Li
Jung Hsiang who stood guarantee
that there was no improper pro-
ceeding in complainant's family.
They prayed Kao êrh to report
the truth and to kindly say
that complainant's was a vi-
tious family. Kao êrh said
he should do no such thing.

but

but would take out a summons the following day to take the people into the city for the Examination of the Sub Prefect.

In the afternoon Chang Chin Asin came to complainants house and said "Go "to your relative Pang Jung's "house and inquire." The man "Kao Urh, came to investigate the "domestic affairs of your family, "he said the Christian Girl who "was married into your family "in the 11th moon of last year, "on the 20th of the 1st moon of "this year had given birth to a child which had the appearance of foreigners. — was like a mon-

"Key

"Rey, he wished to take it into
"the city for the examination of the
"Sub Prefect". Towards night Chang
Chin Hsui came again and spoke
about all this to complainant's
husband. Wang En Pu also came
towards night and sat on a bench
and spoke about this.

Complainant thinks that
the injury which a malicious
slander like the above has caused
to her family will not be removed
for a long time, and fears that more
injury might ensue. She there-
fore prays Your Worship's favor
in ordering an investigation to
discover the principal in the
case and to the end that the

morals

morals of the nation may be upheld. And for this her gratitude shall know no bounds.

Parties to the case.

The Men yin, Nas êrh, and } Accused.
The two Ya mên runners.

The local Constable Fu yueh.

Wang En Pi'u
Chang Chin hsin } Witnesses.
Li fung Hsiang.

Despatch No. 116.
Inclosure 4.

Chen, the Chief Local Magis
trate of Tê Chow.

Issues the following prohib-
itory Proclamation - Whereas
the fabrication of rumours
whereby people may be de-
ceived is strictly forbidden
by law. And as Sorcery and
magic whereby injury is
wrought to persons are exced-
ingly prevalent, the law cannot
pass lightly over such offences.
I, the Sub Prefect, have learned
by inquiry that vagabonds
have recently come from abroad,
spreading rumours, and wildly
proclaiming the doctrines of a
heretical

heretical sect. They make use of paper figures of human beings, and secretly cut off peoples' queues, and draw circular marks in red and black. Out of nothing they invent some sort of injury etc. etc. They delude and pervert the minds of the people and cause a deal of anxiety to virtuous inhabitants. These lawless vagabonds are in truth deserving of intense hatred, and it is very urgent that they be suppressed and apprehended in order to restore quiet in the district, and to put down secret combinations. It is my duty to send out constables to make

diligent

diligent search and immediate arrests of offenders. In addition to which it is also expedient to issue this necessary proclamation. I expect you people within my jurisdiction, soldiers and all others, to thoroughly understand after the issuing of this proclamation - first - that "Error cannot prevail over truth" - Offenders will be visited with - death. Exert yourselves - all of you to be virtuous people. Regulate your conduct. If any vagabonds as aforesaid dare still to invent rumours and create trouble by wrongly exciting people's minds, permission is given to

the

the local constables, literati, merchants and others to point them out and send them, with a statement to my Yamên. They will then be prosecuted with the utmost rigor of the law. A reward of Tls 50.- of silver is promised for each arrest of a heretical vagabond who is sent to my Yamên, and convicted on trial with irrefutable proof. The reward promised will not be retracted. If any of the local constables — having knowledge of any such case attempts to conceal it, or makes it an opportunity for extorting money, or if anybody from malice or hatred wrongly accuses

accuses another; such persons will be prosecuted, and if convicted, severely punished. No indulgence will be shewn. Let all with trembling obey this special proclamation.

Kwang Hsu, 3rd moon, 6th day.

Despatch No. 116.
Enclosure 5.

Mr. Holcombe to Mr. Smith.

21/1882. May, 19th, 1882.

Sir:-

I am just now in receipt of your letter of the 12th. instant giving further details of the illegal action of the Sub Prefect at Tê cho. and furnishing me with certain documents in Chinese. I am obliged to you for the papers which will be of value in the further prosecution of the case here.

This business is not yet in such shape as to render it prudent to prophesy

what

what the outcome may be.

It is being pressed here with all the power which I can bring to bear, and I have communicated certain phases of it to the Secretary of State by telegraph and requested special instructions by telegraph in reply.

I cannot tell what action the Chinese Government may see fit to take. But I can assure you with the utmost confidence that no effort will be spared by me to secure that entire protection and peace for our missionaries and the native Christians

at

Te cho to which they are entitled alike by treaty and by every principle of justice.

In the meantime there is nothing which I can advise except patience and hope.

I trust you will keep me promptly and fully informed of any further developments in your neighborhood.

I am &c.

(Signed) Chester Holcombe.

Despatch No. 116.
Enclosure 6.

Mr. Holcombe to Prince Kung.

No. 44/1882. May. 20th, 1882.

Your Imperial Highness:-

In supplement to my despatch of the 14th instant in regard to the offensive and illegal conduct of the Sub-Prefect at Tê Cho, I have now the honor to enclose two papers for which I beg the serious consideration of Your Imperial Highness.

The first refers to the charge fabricated by the Sub-Prefect against a Christian Chinese woman residing at Kiu shui p'u and

is

is a copy of the deposition of the mother of the girls — husband. The original deposition is now in my — hands.

The second is a copy of a proclamation issued by the Sub-Prefect and posted in all the villages and market towns throughout the limits of his jurisdiction. It bears date April 23rd, but was actually posted the day after Messrs. Luck and Taylor were mobbed the second time in Tê Cho, i.e. May 11th.

In Your Imperial Highness' despatch of the 13th — instant

instant it was stated that the Sub-Prefect had promised to issue a proclamation in regard to the mobbing of Messrs. Tuck and Taylor, to which in my despatch of the 14th I responded that while he did make this promise, as a matter of fact no proclamation was posted. The truth is that the Magistrate promised to issue two proclamations, one warning the people against annoying or oppressing the native Christians or foreign missionaries in any way and the other cautioning the people against insulting

putting or violent conduct toward the representatives of this Legation then at Ji ê Cho. These promises were made upon the 12th inst. April, and, as I wrote in my despatch of the 17th inst., up to the 4th inst. of May no copies of either proclamation had been posted. Since that date careful search has been made in all the villages and market towns of the Sub-Prefecture, and it has been found that only two copies of the missionary proclamation have been posted, one at Ji chi and one at Ki'u shui Sz'u. And it has also been found that the proclamation of which

I enclose a copy has been posted everywhere throughout the Sub Prefecto's jurisdiction.

The language of this proclamation is exceedingly crafty, and there can be no possible room for doubt that it was aimed directly at the preaching of Christianity and intended to stir up the people against the foreign missionaries and native Christians. There are two plain proofs of this intent. First there has not been for months or years any excitement in Fêchu about "tail cutting", nor was there the least whisper of any such

thing

thing when this proclamation was issued. Hence the proclamation was issued not to allay excitement upon this subject, but to stir it up. And a second and more positive proof is found in an order given by the Sub Prefect to the constables when issuing this proclamation that "in case any preachers of "the Christian faith were found "propogating their doctrines "within the limits of Tê cho, "they were to be arrested like "other heretics, and the de- "cision of their case, includ- "ing all responsibility for "their

"their seizure, would lie with "the magistrate himself". A constable in one village is a relative of a native Christian and told him of this order of the magistrate, warning him not to preach or distribute Christian books any where in Ye Cho as he would be arrested if he did.

The result of this order is what might have been expected. There is much excitement throughout all that region, and talk of punishing and driving out the native Christians, destroying the residencies of the foreign missionaries

missionaries and of other manifest violations of manifest treaty rights.

For all of this excitement the Sub Prefect is directly responsible, as it is the natural and necessary result of his evil conduct in seeking to carry out his declaration publicly made that whether he was in office one year or ten no foreigner should have peace in Tê Cho.

I regret exceedingly to be obliged to address Your Imperial Highness again upon this subject. But there are foreign missionaries in the immediate neighborhood

of

of Tê Cho whose lives and property are placed in jeopardy by the offensive and illegal conduct of the Sub Prefect. Your Imperial Highness will not forget that it was by conduct similar to his on the part of the Prefect and District Magistrate of Tientsin that resulted in the massacre there in June 1870. And as the Government of the United States will hold the Government of China responsible for any wrong or injury done to its citizens, it is my plain duty to call your attention to these offensive acts in advance, in order to avoid

more

more serious consequences.

And I beg leave respectfully to suggest that we have endured with all due patience the misconduct of the Tê Cho Sub-Prefect, and that Your Imperial Highness should at once take effective measures to relieve us from further and more serious trouble on his account.

I have &c —

(Signed) Chester Holcombe

Despatch No. 116.
Enclosure 7.

45/1882.

Prince Kung, Chief Secretary of State for foreign affairs, herewith makes a communication in reply.

I have had the honor to receive three despatches from you, bearing date, respectively, May 17th & 20th. One was in the Chê nan fu matter and requested me to order the restoration of the original premises to the missionaries, the payment of their losses, the arrest and punishment of the rioters, and the issue of suitable proclamations. Another discussed the assault upon Messrs Guck and Taylor at Tê Cho; the refusal of the Sub Prefect to take proper action; and requested me to devise some more serious mode of dealing with that official. The third declared that the Sub Prefect had issued a crafty and incendiary proclamation, which it enclosed, together

together with a deposition in regard to an allegation that a certain Christian Chinese woman had given birth to a child, etc.

Copies of these three despatches have been made at this office, and I have sent them by flying courier to the Governor of Shantung, with secret instructions that he most positively must investigate and satisfactorily close these matters.

When his reply shall have been received I shall have the honor to address you further.

Hon. Chester Holcombe,

&c. &c. &c.

Peking. May 24th, 1882.

Despatch No. 116.
Enclosure 8.

Mr. Smith to Mr. Holcombe.

25/1882. May 19th, 1882.

Sir:—

On the 12th instant I had the honor to address you in regard to the case of the Techo Magistrate who has put a stop to the preaching of Christianity within his jurisdiction. Having for some days heard rumors from widely different quarters that this Magistrate had just been removed, (even the name of his successor being given) I yesterday sent a man to Techo to ascertain whether there is any foundation for these reports. He discovered that they are apparently quite groundless, and did not hear of any communication between the Chow Yamen and Chi nan fu, although something must undoubtedly have passed between them on the subject of the late troubles. My informant did learn a few items confirmatory of reports which have been made to you

already

already, and which, as such, have a special significance. I may remark in passing, that my messenger, while a native of this region, has been away from home for several months and was not suspected by his informant of any remotest connection with us. This informant of his is a subordinate in the Chou Yamen, who is in charge of the treasury of silver belonging to the grain tax department. This man possesses of course an inside knowledge of everything in the Yamen, he had no motive to misstate, as he had no suspicions, and his statements corroborate in every particular what we already know. There are four items — 1st This subordinate in the Yamen said that a presentation was made to the Chou Huan in the 2nd moon (cfp. 7.) as already reported to you; that the Magistrate was at that time presented with "an old age umbrella" and a tablet by the gentry; that he received the

the donors with a feast; that the motive was to compliment the official on his hostitety to foreigners; that in a speech in reply the Magistrate expressly told the gentry who made the presentation (a) that what he had done was done with his eyes wide open, and that he and the Chi nan fu officials were in perfect sympathy. so that his action was well grounded, that he intended to treat foreigners with external politeness but that they (the gentry &c.) might depend upon it that whether he was in office for a single day only or for a length of time, he would give these same foreigners all the trouble possible.

2. The man who was seized by the Chi nan fu soldiers and dragged into the Yamen by them, was released at the Magistrate's direction as soon as he had been examined. He was told to run as fast as he could, and the underlings were instructed to open a way for him and to let him escape.

[It

[It was at this point that the Magistrate jumped up in feigned fury, dashed down his hat, and exclaimed that the culprit had been forcibly seized out of his Yamen). The plan was carried out, and the man ran as per programme, but an unforseen factor interposed. The Chi nan fu soldiers, either not comprehending or refusing to cooperate with this singular execution of justice, started in pursuit, the man stumbled, and was recaptured by them. This explains the subsequent vexation of the Magistrate. The wooden collar which he put on the culprit weighed about 15 pounds and was intended only for a sham. The moment Mr. Gulick's back was turned the collar was removed. The next day the Magistrate went in his chair to the shop of the man in question and apologized for the necessity of having been rude to him the day before, but assured him

that

that it was far from being according to his wish, and was only done to blind the eyes of the foreigners, which was for the moment important.

3. The single copy of the proclamation posted at the South Gate of the City – as explained in my last, was removed as soon as Mr. Zuck had gone, not merely pulled down but scrubbed out with a broom and a bucket of water. Not a vestige of it is now to be seen.

4. The man Kao Erh named in the petitions already filed as having made the visit to Ku Chen fu to accuse the young woman (and whose existence the Magistrate flatly denied to Mr. Zuck) is in charge of the Government stables in the Yamen. He was pointed out to my informant by his acquaintance in the treasury.

I have had a written statement made

(of

of the outlines of the Tebbs difficulty down to the present time, in the form of a petition from me to the Legation. The Chinese is ill done as was discovered when there was no time to amend it, and the ~~trouble~~ letter is long just as the trouble has been, but its meaning is obvious and the facts authentic. I enclose it thinking it may perhaps be of service in affording a connected view of the whole matter.

I trust the time is not distant when when such reparation of the mischiefs already done, as can be accomplished by the removal of this official, will be afforded. The distinct and no doubt truthful avowal that he is in perfect understanding with the officials at Chi nan fu, while it renders this course ~~~~ difficult, also renders it absolutely indispensable for the dignity of the Government and the security of its citizens.

I have, etc.

(signed) Arthur H. Smith

Despatch No. 116.
Enclosure 9.

Petition of Rev. Arthur H. Smith wherein complaint is made against the illegal conduct of the SubPrefect of Te Cho.

That the said SubPrefect in violation of the Treaty, and against custom, has, with malicious and evil intent, perversely and unreasonably caused the examination and arrest of Christians, so as to injure and defame the cause of the Gospel. Petitioner prays for a rigid prosecution of the case,

He deposes that he is resident at P'ang Chia Ch'uang in the En Hsien district, where he has been engaged some time preaching the Gospel with daily success, and that the Christians and other inhabitants have lived on terms of peace. That ever since the deed case of the gift of the widow at Te Chi the SubPrefect of Te Cho has sought openly and covertly to injure the cause of Christianity

until

until finally the Minister decided on the 24th of March to despatch a Representative to attend to it. On the 10th April Consul Zuck arrived at Te Cho. He went to the Yamen of the Sub Prefect with Interpreter Taylor and talked over the dead case, he also consulted about issuing a proclamation to ensure peace and protection to the cause of Christianity. On the Consul's departure from the Yamen a great many men at the entrance insulted the Consul, and the Sub Prefect has never punished any one of the offenders.)

Petitioner now bethinks himself of the rumor of last year viz:- that the Sub Prefect had combined with the literati and ordered the local constable of the City, named Sung-Lao-Ming, to go to each residence and enlist names to the proposal that any foreigner coming into the City was to be insulted and maltreated etc. (The meeting of the literati and Sub Prefect was held in

in the Temple of the God of Wealth outside the city.)
Again on the 20th day of the 2nd moon (9th March)
the literati and people of the City presented
the Sub Prefect with a honorary tablet, and
the official declared to them that he would
not allow any preachers of Christianity to come
within his's jurisdiction. He would take the
responsibility upon himself; it was one and the
same matter with the high officials of Chi Nan fu;
all that was to be done by them was to insult and
revile the foreigners. (This declaration was made
at the presentation of the tablet). Consul Zuck
on hearing these rumors did not take them up
very seriously and proceeded on his way to Chi-
nan-fu. On the 1st day of the 3rd moon (April 18th)
the Sub Prefect of Te Chu sent the Men Yin
called Kao Erh (man in charge of the Yamen stables)
with two other Constables to Hu Shui Pu.
These three men sent the local constable of

Hu

Fu Shui pu, named Fu Yueh, to the house of Chang Wan Liang. Fu-Yueh first asked, are the members of your family followers of the Christian religion? He then said - the woman who was taken into your family by marriage last year is the daughter of Wen Hsin Teh, a follower of the Christian religion. A few months after her marriage she gave birth to a child which had the appearance of foreigners. Your daughter-in-law and the child are to be taken into the city and into the presence of the Sub Prefect for his examination. He also said - Kao Erh is in the "Kung Ho" Inn, at the North end of the village, waiting to take them off immediately etc. Chang Wan Liang being absent from home his wife Hsio Shih, followed the local constable to the inn, and as there was no male member of the family at home, three of the literati of the village went to the constable and gave security

security to testify that no child had been born in the family. Kao Erh was still unwilling to believe this, but insisted that he would take out warrants to summons the parties. When Chang wan liang returned home the Constables had been gone sometime. He then came to P'ang Chia Ch'uang and narrated to petitioner the injury which had been done to his family by this libellous charge. Petitioner has also personally heard from Chang wan liang's wife, Kuo shih, the particulars of this report. Kuo shih said the Constables went to her house twice to inquire. At Wang Jung's house Chang-Chin hsiu said himself that the child was to be taken (into the city) to be examined. He also spoke about the securities. He also spoke to Kuo Shih's husband about this matter. And Wang En Pu also went to Kuo Shih's house and sat on a bench and spoke about this.

On

On the strength of this evidence petitioner sent a messenger with a communication to Consul Zuck complaining of this slander against the cause of the Gospel, and libel against a virtuous family, seeing that the consequences were grave. On the 15th day of the 3rd moon (2nd May) Consul Zuck returned to Te Chu from the Provincial capital, and went to the Yamen on business. Unexpectedly the literati and people both in and outside the city insulted and assaulted him. The innkeeper of the Tek Tong Tien took up a stone and hit the Consul with it, at the time some thousand fellows were mobbing him, and pursued him from the South suburb of the City to the river. Some people from Hwang Ta jen's Military Yamen escorted the Consul to his inn in the South street. Luckily the Governor of Shantung had sent an escort with the Consul. When Lieutenant Ch'en heard that

that the Consul had been mobbed, he immediately proceeded with the Comme and the Interpreter, and they went in person to the Tsi Tsang Tsze, and arrested the innkeeper, and took him off to the Sub Prefect's Yamen. The official made a pretense of punishing the man, and made false promises to issue proclamations in all the villages of his jurisdiction, and in the city, for, although proclamations stating that foreigners were entitled to protection were put up at the gates of the City at the time, no sooner had the Consul left Te Cho on his return to Peking, when the Sub Prefect ordered the proclamations at the city gates to be scrubbed off. He also went in his official chair to the Tsi Tsang Tsze to console the innkeeper. He said to the innkeeper – if you were alarmed when in my court, and received punishment, you must know that I did not mean it. It was only done to blind the eyes of the foreigners.

It

It is a matter in which the high officials of the province are at one with me. The Subprefect also said as long as I hold office in Te Chu, I shall do my utmost to persecute the people of that religion.

Petitioner begs to submit that there is no telling to what extent Missionaries and their converts may become the victims of persecution, seeing that the Subprefect is regardless of violating the Treaty, and fears not the laws of the country, and has repeatedly plotted to injure Christians by every act of oppression.

And your petitioner shall ever pray.

Despatch No. 116.
Enclosure 10.

47/1882.

Mr. Holcombe to Prince Kung —

May 26th, 1882.

Y. I. H.

Referring to my several previous despatches in which the misconduct of the Te Cho Sub Prefect was complained of I have now the honor to enclose a copy of a petition addressed to me by the Rev. Arthur Smith in which further details and evidence are furnished. Mr. Smith is thoroughly acquainted with the Chinese language and customs, a man of great accuracy of Statement, and what he says may be implicitly relied upon.

I beg that a copy of this petition may be forwarded to H. E. the Governor of Shantung for his consideration, and be made a part of the case against the Sub Prefect of Te Cho.

I have etc.

(signed) Chester Holcombe —

ack: instruct him to convey to Chinese Govt thanks of this Govt. for its friendly assistance &c

accted July 25. in cipher

Confidential.

No. 117

DEPARTMENT OF STATE JUL 10 1882 RECEIVED

Legation of the United States.
Peking, May 29th u. 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Treaty negotiations with Corea.

Synopsis.

much interest felt in our negotiations. British, German, and Russian Ministers have adopted our treaty, and are seeking to negotiate with Corea upon terms identical with ours. France also moving. Religious toleration not practicable at present. Certain modifications of treaty between

Japan and Korea necessary.
Thanks due to China for
cordial and effective assistance.
Reasons why she offered her
help to us.

Confidential.

No 117.

Legation of the United States
Peking, May 29th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:—

The Department will doubtless have learned ere this, by telegram from Commodore Shufeldt, that a general treaty of amity and commerce with Corea was signed by him upon the 22nd instant.

This successful attempt to open that land to our commerce, after the failure of so many similar efforts, has excited much interest among all classes of people in this section of the world. Merchants are looking forward with undisguised eagerness to new

avenues

avenues of gain, and diplomatists to new regions of political intrigue and influence.

In particular, the various foreign Representatives here in Peking have watched all our movements in this business with the greatest curiosity and interest. While negotiations were in progress in Tientsin in March and April, the Foreign Office here was applied to repeatedly by each of the Diplomatic Agents for information. This the Chinese declined to furnish as it was their desire as well as that of Corea to keep the negotiations entirely private until they were brought to completion. It is but just to say that none of the Representatives manifested any disposition to interfere, and while they all were equally desirous with ourselves

to

to enter into diplomatic relations with Corea, they said, with entire frankness, that they should oppose any movement on the part of their several Governments until our treaty was signed.

News of this event reached Tientsin upon the 26th instant. The British Minister, who was at that port, at once applied to Viceroy Li for the good offices of China in negotiating a treaty with Corea. The Viceroy agreed to render assistance upon condition that the treaty should be substantially the same as ours. To this Sir Thomas Wade assented, whereupon the Viceroy furnished him with a copy of the Chinese text of our treaty, and appointed the same Chinese official who had accompanied Commodore Shufeldt to Corea, to return thither with the British Commissioner. And Admiral Willes who is empowered to treat with

Corea

Corea on behalf of the British Government is already on his way to that country going from Chefoo. I have these facts directly from Sir Thomas Wade.

I am informed by the German Minister that his Commission and Full Powers as Envoy to Corea are on the way out from Berlin; that he has assured the Chinese Government of his readiness to accept of the stipulations of our treaty; that the Foreign Office has, upon this assurance, proffered him the good offices of China; and that he will leave for Corea so soon as his credentials have been received.

The Russian Minister has also intimated his readiness to accept the terms of our treaty and that he should apply for the friendly assistance of China at an early moment. I am further informed that my French Colleague,

Mr

Mr. Borie, proposes to send Monsieur Dillon, his Consul at Tientsin, to Corea to endeavor to open negotiations. Just what line he intends to take I cannot say, But as France has no commerce in the East, it is likely that the only point which he would regard as of importance in a treaty with Corea would be that which would open the country to Romish missionaries. And I am obliged to say that there is, in my opinion, no probability of success in any effort made in that direction. As the Department is well aware, grave and repeated complaints have in past days been made by the Governments of China and Japan against Romish priests upon two grounds; first, that they assume official rank and title, and, second, that they interfere with the course of justice, and make pretense to a sort of judicial power in cases to which members of their

faith

faith among the natives are parties. These complaints are very far from being groundless. I have myself seen the Romish bishop of this province making the tour of his diocese in such style and official parade as no Chinese officer lower in rank than the Viceroy himself would dare assume. And there is much truth in the assertion that the Romish missionaries have to thank themselves for their expulsion many years ago from China, Japan, and Corea.

Be this as it may, the question of a "toleration article" came up in a conversation which I had with Viceroy Li about our treaty with Corea in April last, when he laid before me a draft of a treaty prepared by the King of Corea, that is, under his orders. It contained an article which strictly prohibited under penalty of death the propagation of any form of Christian faith within the

limits

limits of the Kingdom. I told the Viceroy at once frankly that I should advise Commodore Shufeldt to refuse to admit any such article, even if it put an end to the negotiations, as it was totally opposed to the spirit of the age, and to sound policy; and further that I felt confident that our Government would promptly refuse ratification to any treaty with any power which embraced such a provision. The Viceroy declared his entire agreement with me in this opinion, and added that on the other hand it would be useless to attempt to secure the insertion of a "toleration article" and that on the whole it would be best not to mention the subject in the treaty at all. To this Commodore Shufeldt assented, and acted wisely, in my opinion, in so doing. While, as the Department can readily believe, I was anxious to secure

the

the insertion of a "toleration article", and thus to secure a new field for the philanthropic labors of our missionary citizens, nothing could have been gained by pressing this point to the jeopardy of the entire negotiation. Furthermore, as I interpret the treaty, our missionaries can, in common with all other classes of our people, prosecute their avocation within the limits of the open ports of Corea. For further concessions they must be content to await in patience and hope the revision of our treaty five years hence.

From this the Department will readily agree with me that Monsieur Borée will likely fail in any effort which he may make to secure the unrestricted entrance of Romish missionaries to Corea. And he is peculiarly unfortunate in the choice of an agent to conduct

his

his negotiations, as Monsieur Dillon has the reputation of being completely under the control of the Jesuits, and in consequence is especially obnoxious to the Chinese.

It is an open secret throughout the East that the Government of Japan is opposed to, and has on more than one occasion intrigued to prevent, the establishment of commercial and diplomatic relations between Corea and any Western Power. The Japanese Representative here has caught eagerly at the various rumors of our negotiations which have reached his ears, and has on four occasions called upon me to repeat what he had heard and inquire as to its correctness. Believing as I do that his Government would be glad to see our negotiations come to naught, and would not spare effort to secure that

result

result, I have carefully avoided furnishing Mr. Tanabe with any information. The Japanese minister to Corea who has been at home in Yedo for some months left for Seoul with the utmost haste the other day upon receipt of intelligence from China that the United States was conducting negotiations with the Corean Government.

The execution of our treaty will require immediate effort on the part of Corea to secure a revision of so much of her treaties with Japan as refers to duties and tonnage dues. By the terms of our Convention exports are to pay an ad valorem duty not to exceed 5 %, and imports a similar duty of 10 % or 30 % according to the character of the merchandise. Under the Japanese treaty no export or import duties are leviable. By the terms of

our

our Convention vessels pay once in each three months tonnage dues at the rate of 5 mace tael cents per ton. By the Japanese treaty Japanese vessels pay tonnage dues at the rate of 5 yen (about $1.25) per vessel irrespective of size. That is to say a Japanese steamer of 1.000. tons would pay $1.25 tonnage dues while the same vessel under the American flag would be called upon to pay tonnage dues to the amount of 500 taels or say $720. However under the "favored nation" article the provisions of our treaty upon these points cannot be enforced until Japanese subjects are brought to the same terms. And as the other principal foreign Powers are accepting the terms of our Convention, it is likely that the Japanese Government can raise no serious objection to a revision of her treaty in this particular.

The

The Department will doubtless learn with great satisfaction that, thanks to the kindly assistance of China — cordially offered and faithfully exercised, the United States has not only been able to establish relations, but to make a treaty with Corea — which, as in the case of our first treaty with Japan, is being accepted as a model by the — principal European Powers. This fact will, in my opinion, give us a valuable prominence in all future relations between Corea and foreign nations, if we care to make use of it, and very materially increase our influence in China. I beg to suggest that the formal thanks of our Government are due to the — Government of China for its assistance in this business.

The Ministers of the Foreign Office and the Viceroy Li have repeatedly and unhesitatingly declared that their

their Government had tendered its
assistance to the United States in
preference to any other Power in effecting
the establishment of treaty relations
with Corea for two reasons:—first, because
the policy of our Government towards
China had been more conservative and
conciliatory than that of others, and second,
because of the action taken by us in the
Commercial Treaty of 1880. in regard
to the opium traffic.

It would therefore appear that
the success of Commodore Shufeldt in
his Corean negotiations, which is wholly
due to the assistance of China, is of itself
a practical and complete refutation of
his assertion that "the only appeal
" or argument appreciated by the Chinese
" is that of force," and that our policy
of "moral suasion" is a failure, as given
to the public by him and as criticised by

me

me in a recent despatch.

I have the honor to be,

Sir,

Your obedient servant,

Chester Holcombe

Honour

~~Mr Morgan pleas~~
~~Enclosed Report~~



No 110

Shanghai. China.

May 31st, 1882.

Hon F. V. Frelinghuysen,

Secretary of State,

Washington. D.C.

Sir.

I have the honor to inform you that I have this day drawn on the Department of State in favor of Paymaster H. T. B. Harris of the U.S.S. Swatara for two hundred and ninety-five dollars and thirteen cents ($295 13/100). U.S. Coin, as per voucher herewith enclosed.

This draft will completely discharge my indebtedness in connection with the Corean treaty, with the exception of the amount allowed for my own expenses under the instructions of the

Department of State.

I have the honor to be

with great respect

Your Obedient Servant

R. W. Shufeldt

Commodore, U.S.N.

No. 118. One Enclosure.



Legation of the United States.

Peking, May 31st, 1882.

Chester Holcombe to

the Secretary of State.

Subject.

Mr. Such's expenses to Chinanfu.

Synopsis.

Forwards duplicate statement of this account.

No. 118. One Enclosure.

Legation of the United States.

Peking, May 31st, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

Referring to my despatch number 112., I have the honor to enclose herewith a duplicate 1/118. statement of the expenses of Mr. Cutler's recent mission to Tchimanfu.

I am only able to furnish copies of the vouchers as they were not made in duplicate.

I have the honor to be,

Sir, Your obedient servant.

Chester Holcombe

4

Enclosure.

1. Duplicate statement of Lieut. Zuchi's expenses.

No. 119. One Enclosure.

Legation of the United States.

Peking, May 31st, 1882.

DEPARTMENT OF STATE
JUL 10 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Cost of telegram.

Synopsis.

Forwards duplicate statement of cost of telegram of May 13th.

filed

No. 119. One Enclosure.

Legation of the United States.

Peking, May 31st, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

Referring to my despatch number 113., I have now the honor to forward a duplicate 1/119. statement of the cost of my telegram of May 13th to the Department.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

Enclosure.

Enclosure.

1. Duplicate statement of cost of telegram of May 13th U.

File

No. 120.

Legation of the United States.

Peking, May 31st, 1882.

DEPARTMENT OF STATE
JUL 18 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 158. and 159. have been received.

No. 120.

Legation of the United States.

Peking, May 31st, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:—

I have had the honor to receive your instructions numbered 158. and 159.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

No. 121.

Book to Mr Scudder
Re Library

Legation of the United States.
Peking, June 2nd, 1882.

DEPARTMENT OF STATE
JUL 18 1882
RECEIVED

Chester Holcombe to
the Secretary of State.

Subject.

Customs Trade Returns.

Synopsis.

Forwards, under separate cover, three copies "Abstract of Trade and Customs Revenue Statistics from 1869 to 1881."

No. 121.

Legation of the United States.

Peking, June 2nd, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State,

Sir:—

I have the honor to forward herewith, under separate cover, three copies of "Returns of "Trade at the Treaty Ports for the "year 1881.—Part I. Abstract "of Trade and Customs Revenue "Statistics from 1869. to 1881."

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Mr. Adee Is there any objection to this?

made

No. 122.



Legation of the United States.

Peking, June 5th, 1882.

Chester Holcombe to

the Secretary of State.

Subject.

Expenses for a copyist.

Synopsis.

Mr. Holcombe has been obliged to employ a copyist since he assumed charge of the Legation in October last. Has paid for this service at the rate of $50. per month, and asks to be authorized to draw upon the Department for the amount so

have

No. 122.

Legation of the United States.

Peking, June 5th, 1882.

Chester Holcombe to the Secretary of State.

Subject.

Expenses for a copyist.

Synopsis.

Mr. Holcombe has been obliged to employ a copyist since he assumed charge of the Legation in October last. Has paid for this service at the rate of $50. per month, and asks to be authorized to draw upon the Department for the amount so expended. Refers to certain correspondence between Mr. Seward

and Mr. Evarts.

No. 122.

Legation of the United States.
Peking, June 5th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:—

I have the honor to inform the Department that it has been necessary to employ a copyist in the Legation for the entire period since I assumed charge in October last. A reference to the mass of correspondence which has been sent to the Department will, I am sure, convince you that such assistance has been absolutely indispensable.

For this service I have

have paid at the rate of $50. per month, and I most respectfully beg to be authorized to draw upon the Department for the amount of this expenditure upon furnishing an account made out in the usual form with proper vouchers.

It does not seem proper that I should be called upon to bear this expense, especially as, under the statute, I am allowed no compensation whatever for my extra labor as Chargé d'Affaires.

Under similar conditions existing in 1878-9, the Department authorized me to draw for the sums paid for a copyist.

Your

You will find the correspondence in that case in Mr. Seward's despatch, number 662. of April 20th, 1880. to Mr. Evarts, and Mr. Evarts' instruction number 8. of June 12th, 1880. to Mr. Angell.

Respecting an early and favorable response to this request,

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

No. 8

Mr. Adee

DEPARTMENT OF STATE
JUL 18 1882
RECEIVED

Sent as directed by Mr. Davis Sept. 6. 1882 C.I.D.

Nagasaki. Japan.
June 8th. 1882.

Hon. Frederick T. Frelinghuysen.
Secretary of State.
State Department.
Washington. D.C.

Sir,

I have the honor to request that this dispatch may be considered a continuation of my dispatch No 7. dated Shanghai May 29th.

The causes which brought about a treaty between the United States and Corea, and the events which led up to it, have been narrated in my several communications to the Department.

The antagonism between China & Japan, extending even to parties among the Coreans themselves, has been the underlying reason for the action of China, which made me from my long connection with the subject, the medium for securing the American treaty with Corea.

While two years ago the same effort

on

on any part through the intervention of Japan failed, I yet have reason to know, that if from any cause China had declined to assist at the present time; Japan would have seized the opportunity of retrieving the mistake which she made, and which she now realizes that she made on the former occasion.

Nevertheless it is due to the Government of China to acknowledge its friendly offices, and the very efficient and practical manner in which they were rendered. It is also proper to add, that the Commissioners of Corea were manifestly in favor of concluding the treaty rather through the intervention of China, than of Japan. Ma Sautai, the agent of the Chinese Government sent over to Corea to act as the intermediary, managed the negociation with great skill: inspired perhaps by the knowledge that Mr. Hanabusa the Japanese Minister resident in Corea, was watching every movement, and was only prevented from offering his services by the Coreans, and to him unexpected conclusion of the treaty.

She

the Department must have been made aware of the reasons for the action of China by my dispatch of Jany 23rd (No 1) in time to recall my commission if it is desired. My telegram also of April 12th, indicating that I was ready to proceed to Corea, could have been answered in the interval between that date, and May 1st the day fixed for my departure, in time to countermand the movement if anything had occurred to render such action advisable. Not receiving however any further intimation either by mail or telegraph, I felt myself obliged under these already in my possession to proceed to Corea. Accordingly after a correspondence between His Excellency Li-Hung-Chang and myself at Chefoo (inclosures Nos 1 to 3) it was arranged that Ma Tsai should proceed one day in advance to the Salée River at Yen-Chiun or Ken-Chan, the seaport of Seoul the capital of Corea. This was done, and on my arrival at that port I found anchored there, two Chinese men-of-war with an Admiral on board, and also a Japanese corvette.

May 14th

May 14th occurred, as stated in inclosures Nos 8 & 9. the first visit of the Corean Commissioners to the Iwakura - the first visit of an official character ever made by Corean officials on board of a man-of-war of any Western nation.

On the 17th of May, I was informed by the commanding officer of the Japanese corvette 'Banjo', of the presence in Seoul of Mr. H. Kanabusa H.I.J.M. Minister resident in Corea. At the same time was handed me a letter of introduction to that gentleman, from the Hon. John A. Bingham, U.S. Minister at Yokio. The correspondence resulting from this letter will be found in inclosures Nos 7 & 9.

In inclosure No 13. will be found the details of the first visit made by myself, accompanied by a staff of officers to the Corean Commissioners at Kew-Shaw, six miles in the interior; where credentials were exchanged, the letter of the President of the United States to the King of Corea delivered for transmission, and a day fixed for the signing of the treaty.

May 23rd I proceeded, as agreed upon, to

the

the place appointed for signing the treaty; accompanied by fifteen officers of the ship, and preceded by a file of marines bearing the American flag. Full details of the ceremony will be found in inclosure No 14.

After the conclusion of the ceremony, salutes were exchanged between the Chinese Admiral and myself, Mr. Kanahusa was also saluted, as well as one of the Corean Commissioners who came on board to make a farewell visit.

On the morning of the 24th of May, I left Corea for Shanghai, arriving on the evening of the 26th.

I visited that port, because, in the absence of any authorized interpreter with me in Corea, it became necessary to secure the services of the Government interpreter attached to the U.S. Consulate General. All the documents prepared with the treaty were translated by that officer, and may therefore be regarded as entirely trustworthy.

After this work was accomplished and forwarded to the Hon. Secretary of State by mail, I came to Nagasaki in the 'Swatara' on the 4th inst, and notified Comdr. Cooper

Commanding.

commanding, that my mission was accomplished by letters to him, and to Admiral Cloby, as per inclosures Nos 15 & 16.

The Department on the receipt of this despatch, will be in possession of as complete a record as it is in my power to give, of an event which may become an important era in modern history.

England and Germany are following in the footsteps of the United States, & in all probability they will make treaties based upon our own, and will no doubt be the first to reap the fruits of this new commercial field.

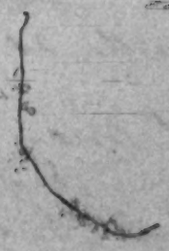
I have the honor to be,

with great respect,

your obedient servant,

R. W. Shufeldt

Commander U. S. N.



Tientsin April 23, 1882.

To His Excellency

Commodore Shufeldt U.S.N.

Envoy Extraordinary & Minister Plenipotentiary

to Corea.

Sir,

I have the honor to inform you that His Majesty the Emperor of China has been pleased to approve of my memorial whereby I have prayed the Throne to appoint Ma-Kie-tchang an expectant Tartai of the Honorary 5th Class of the Second Rank to proceed to Corea in a man-of-war of the Chinese Imperial Navy to act as an intermediary in facilitating the final arrangement of the forthcoming treaty between the United States of America and Corea.

The recommendation to appoint a high official for this purpose was especially made at the request both from your part and from the part of the Corean Government.

As Ma Tartai has followed the whole course of the negociations of the said treaty from beginning to end he will unquestionably be able to render valuable services towards

the

the initiating of the perpetual friendship and amicable relations between the two countries. I therefore trust you will place your whole confidence in him as that my hope for the accomplishment of an affair in which I have taken so deep an interest may not be frustrated and the statu quo of the great East may be maintained

I avail myself of this opportunity to assure you my highest consideration and esteem

(Signed in Chinese characters)

Grand Secretary of the Chinese Empire
& Viceroy of Chihli.

Letter informing of the
appointment of Ma-
Kie Khong as intermediary

Answered
May 6. 1882.

#2

Chefoo, China

May 6th 1882.

His Excellency Li Hung Chang.
Grand Secretary, Senior Guardian to the
Heir Apparent Viceroy of Chih li, &c, &c, &c.

Your Excellency:

I have the honor to acknowledge the receipt of your communication, dated at Tientsin, April 23rd, 1882, in which your Excellency informs me that in consequence of your application His Majesty, the Emperor of China, has been pleased to direct that Cha-Kietchung, an expectant Tastai of the honorary title of the second rank has been appointed to proceed to Corea, in a man-of-war of the Chinese Imperial Navy to act as an intermediary for facilitating the final arrangement of a treaty between the United States and Corea.

This appointment was signified to me by your Excellency during a personal interview at Tientsin and at that time met with my approbation.

The appointment of such an officer will, I have no doubt, be regarded by the Government of the United States as an evidence on the part of the Government of China of its desire not only to facilitate, but to perfect a treaty of lasting friendship between the Government and people of Corea and the country which I have the honor, on this occasion to represent.

I take this occasion to inform your Excellency that in an interview with ma Taotai and Admiral Ting, held yesterday, it was arranged that such of the vessels of the Chinese Imperial Navy as were destined to proceed to Corea, should leave Chefoo on the morning of the 7th inst, while I promised them that we would follow these Vessels to a pre-determined anchorage on the Corean coast on the morning of the 8th inst.

Your Excellency will, I am sure, concur with me in the opinion that

if this treaty is to be made it is advisable to proceed at once, in order that no further obstacle may intervene to prevent.

I avail myself of this opportunity to express to your Excellency my appreciation of your Excellency's earnest endeavor by means of this treaty to create another alliance between my own country and one in the great east, which hitherto has not entered into the family of nations.

I have the honor to subscribe myself, with great respect, Your Excellency's most obedient Servant

(sgd) R. W. Shufeldt
Commodore U. S. N
and Special Envoy to Corea

#3

Chefoo, China
May 6th. 1882.

Hon. Chester Holcombe
U.S. Chargé d' Affairs
U.S. Legation, Peking.

Sir:

I have the honor to inform you that upon my arrival at Chefoo, on the 4th inst. I found the U.S. Ship Swatara, Commander Cooper, at this port, and the following morning Comdr. Cooper reported his Ship in readiness to convey me to Corea, under instructions from Rear Admiral Clitz, Commanding the U.S. Squadron on this station. I also found the Chinese gunboats under command of Admiral Ting, of the Imperial Chinese Navy, in the port, ready to proceed to Corea.

Ma Taotai, a messenger from His Excellency the Viceroy at Tientsin, forwarded to me a letter from the Viceroy accrediting him to me as a messenger on the part of the Chinese

Government, to proceed to Corea.
In a subsequent interview with this gentleman I ascertained that the draft of treaty (No. 4) which has previously been presented by you and myself, had been forwarded to the Government of Corea without any conditions of a political character being imposed upon it by His Excellency the Viceroy, and he announced himself ready to proceed on the morning of the 7th inst. in a Chinese vessel-of-war.

While at Shanghai I wrote to the State Department under date of April 28th, that if on arriving at Chefoo, I found the state of affairs as above indicated I should proceed to Corea, in the absence of any further instructions from Washington. I have therefor determined if the Chinese Officials leave here in the morning of the 7th, to follow them on the next morning, to the coast of Corea, to a pre-determined anchorage.

I confess myself somewhat surprised at the evident desire of the Chinese Government to act upon this treaty without imposing any conditions whatever and under these circumstances and in the absence of answers to the telegrams, I feel it my duty to carry out my original instructions.

I regret exceedingly that the State Department has not authorized you to accompany me to Corea, and shall no doubt feel the need of your experience and knowledge, but I take this occasion to express to you my sincere obligations for the services you have already rendered. If the treaty is perfected and ratified it will be due very much to the interest you have taken in the matter. It is of course difficult to say when I shall return or do what forts, but by the earliest opportunity I shall inform you of the results. I am very respectfully

Your obedient servant

'sgd' R. W. Shufeldt
Commodore U.S.N.

#4

Chefoo, China
May 7th 1882

Hon. F. C. Denny
U. S. Consul General Shanghai

Sir:

I have the honor to inform you that I shall sail tomorrow in the U. S. Ship Iwatara, for the coast of Corea, with a fair prospect of making the treaty contemplated between the United States and the Government of that Country.

On the receipt of this do me the favor to transmit to the State Department at Washington the following telegram:

Secretary of State Washington
Have gone to Corea.
Shufeldt

I am, very respectfully
Your obedient servant
sgd. R. W. Shufeldt
Commodore USN

U.S. Consul-Genl. Shanghai

Chefoo China

May 7th/82.

Letter informing the sailing of the Iwatara for the coast of Corea for the purpose of making a treaty with Corea, also asking for transmission of a telegram to State Dept.

5-6+7

May 8th. 1882

The U.S.S Swatara got underway for the coast of Corea at 7 o'clock in the morning with Commodore R.W. Shufeldt, U.S.N. on board as Special Envoy to that Country, took on board as interpreter, Ah Sing and with him a chinese teacher.

May 12th

Anchored at 2.15 PM today at the mouth of the Salei River. Corea a little below Rose or Albert Island, and found there the chinese corvette Wei Yuen, bearing the flag of Admiral Ting, T.C.N., the steel ram Yang-wei and the despatch boat Chen-hai; also the Japanese gunboat Banjō.

The commanding officer of the Banjō delivered a letter from the Hon. J.A. Bingham. U.S. Minister to Japan, of which the following is a copy:-

Legation of the United States

Tokei, Japan

April 26th 1882

My dear Commodore:

It gives me pleasure to introduce and commend to your most favorable consideration the bearer of this note, Mr Nanabusa. A. E. J. Majesty's Minister accredited to the Court of Corea. Should your business or pleasure call you to Corea, I have no doubt that you will find it to your advantage to cultivate intimate and, if need be, confidential relations with Mr Nanabusa.

I remain my dear Commodore
Very sincerely yours
(sgd) Jno. A. Bingham

Commodore
R. W. Shufeldt, U.S.N.
&c &c &c

to which the following reply was sent through the Commanding officer of the Japanese Gunboat Banjō:-

U. S. S Swatara
At Anchor in Salie River
May 12th 1882

To His Excellency
Yosimato Kanabusa
H. I. J. Majestys Minister resident
in Corea.

Sir.

It has given me pleasure to receive through the hands of the Commanding Officer of the H. J. Gunboat Banjo, a letter of introduction to you from the Hon J. A Bingham, Minister of the United States at Yakei.

I have no desire to conceal from you the fact that I have arrived in Corea with the purpose of negociating a treaty of amity and commerce between this country and the United States.

Any attention you may think proper to give to this subject, towards its accomplishment will I have no doubt, be duly appreciated by my own government.

I shall remain at this anchorage until some settlement can be made either favorable or otherwise, while delay will be considered by the govern-

ment of the United States as undesirable.

I have the honor to be
Your obedient servant
(Sgd) R.W. Shufeldt
Special Envoy to Corea

#5 May 8th/82
USS Swatara on her way
for Corea.

#6 Copy of letter from Jno
A Bingham. Minister at
Tokio Japan dated April 26/82

#7
U. S. S. Swatara
At Anchor in Salee River
May 12th/82
Letter to His Excellency
Yosimato Hanabusa
H. I. J. Majestys Minister. Corea
Letter acknowledging receipt
of letter of introduction from
Hon J. A. Bingham

#8+9

May 14th

In the afternoon Shin Chen, President of the Royal Cabinet, and Chin Nang Chi, member of the Royal Cabinet, and Commissioners Plenipotentiary on the part of the Corean Government for negotiating a treaty with the United States, and Gin Nang Dye, a Chamberlain representing the Corean Court called upon Commodore Shufeldt, on board the U.S.S. Swatara, attended by a staff and interpreter.

This was the first visit of an official character ever made by Corean officers upon a United States man-of-war.

They remained on board about one hour and were very friendly in their professions, urging a return of their visit to the town of Jin Chuen, and afterwards their good feeling was manifested by frequent presents of rice, eggs, fowls and beef.

May 17th

The following letter was received from the Japanese Minister to Corea:

N. D. J. M's Legation

Seoul. May 17th 1882

My dear Commodore R W Shufeldt,

I have received with the greatest pleasure your note of the 12th inst., and thank you very much for your kind information, and the same time I congratulate you upon your safe arrival in Corea.

I understand in your letter that you have come to this country with the purpose of negotiating a treaty of amity and commerce between this country and the U. S. and now I beg leave to say that it is only a year since the Corean government has began her improvement and there seem much troubles prevailing among themselves, but in spite of it, the government sent the commissioners to meet you with a full power to negotiate a treaty between the two nations. The Chief officer, so empowered is the man who had negoitated and concluded the treaty with Japan

and the second officer or the assistant was once an envoy to Japan; so they understand something about the world. I therefor believe that your object of this mission will, no doubt be successful. I was waiting for your arrival there wishing to speak something about our relations with Corea &c, but I had been obliged to enter Saoul without any delay for some urgent business, but I think I can visit you within four or five days.

I have the honor to be
Your obedient Servant
(Sgd) Yasimabo Nanabusa.

May 17
President & members
of the Royal Cabinet, also
Commissioners Plenipotentiary
Embarked upon Commodore Shufeldt
on board the USS Swatara

#9 H. I. J. M's Legation
Seoul May 17th 1882

Letter to Commodore Shufeldt
Acknowledging receipt of letter
of 12th inst. Ref. to Y. Hamabuchi

#10

U. S. S. Swatara (3d Rate)
At Anchor Salie River
Off Tin Chuen, Corea May 20th 1882.

Mr. A. M. Eckford
U.S. Consul Agent, Chefoo

Sir:

The Cheuhei leaves for Chefoo tomorrow morning and I take the opportunity of returning by her the Chinese interpreter Ah Ling, and his assistant.

I desire to return my thanks for your assistance in securing their services.

The Swatara will probably sail from here on or about the 24th inst, but at present her destination is undetermined. You will do me the favor by forwarding the enclosed letters and by facilitating the departure of Miss Shufeldt from Chefoo, whenever she may determine to leave.

Very respectfully
(sgd) R W Shufeldt
Commodore U.S.N

#14

U. S. S Swatara 13th Rate
At Anchor Salee River
Off Yiu Chuen, Corea
May 20th 1882

Hon O. N. Denny,
U. S. Consul General
Shanghai, China.

Sir:

The departure of a Chinese gunboat for Chefoo gives me the opportunity of informing you that I have this day exchanged credentials with the Commissioners appointed by the Corean government to negotiate a treaty with the United States, and that Monday next the 22nd instant has been appointed as the day to conclude the negotiation.

I give you this information to avoid the possibility of accidents and beg you to consider it as confidential. You will do me a favor by retaining at Shanghai any mail matter addressed to me, until further

notice.

You may report that the Swatara will probably leave Corea on or about the 24th inst, and that her officers and crew are all well.

I am very respectfully
Your obedient Servant
(sgd) R.W. Shufeldt
Commodore U.S.N

U.S. Consul Genl. Shanghai

U.S.S. Swatara 3rd Rate

At Anchor Salie River.

Off Yin Chuen, Corea

May 20th/82.

Letter informing the having
of a Chinese gunboat for
Chefoo, & stating having
exchanged credentials with
Commissioners

4 In

U. S. S. Swatara. (3d Rate)
At Anchor Salie River
Off Yen Chuen, Corea
May 20th 1887.

Hon. Chester Holcombe.
Chargé d'affairs, U. S. Legation
Pekin, China

Sir,

By reference to my letter of the 6th instant you will be aware of my intended departure for Corea, and now have the honor to inform you that the ship anchored in the Salie river on the 11th inst, and that on the morning of the 14th I received a visit from the commissioners appointed by the King of Corea to negotiate the treaty we have had so long in contemplation -

To day I visited them commissioners at a town five miles in the interior and exchanged credentials with them. On Monday next, the 23rd inst., a final meeting is appointed for the

purpose of signing the treaty; in which I do not apprehend any difficulty as both the government and people of Corea have been perfectly friendly.

The Iwatara will probably sail on the 24th, but her destination is at present, undetermined. I give you this information, because, as we are so entirely cut off from communication, some apprehensions might be felt about the Ship in the event of any lengthened absence.

I am Very respectfully
Your obedient servant
(Signed) R.W. Shufeldt
Commodore USN

Chgé d' Affairs a.i. Legation

U.S.S. Iwatara
At Anchor Salie River
off Yin Chuen Reach
Aug 20th/22.

Letter notifying departure for Iwatara on 24th. with explanation of signing treaty on 22nd inst.

#13

May 20th.

By invitation of the Royal commissioners appointed by the King of Corea to make a treaty with the United States, Commodore Shufeldt visited their official residence at Yin Chuen, accompanied by Commander Cooper, Lieut. Comdr. Perry and Lieut. Staunton and Paymaster Harris of the Swatara.

After the ceremonies incident to the arrival, the royal commissioners presented their power to negotiate, a copy of which in English will be found on a subsequent page.

Commodore Shufeldt then presented the following documents as the evidence of his authority on the part of the President of the United States (in chinese) to conduct the negotiation. These were accepted by the commissioners who then received from the hands of Commodore Shufeldt a letter from the President of the United States to the King of Corea. It was understood

that this letter would be delivered and answered in terms of equality as existing between two sovereign rulers of friendly nations.

Upon the conclusion of this ceremony it was settled that at a joint meeting of the commissioners to be held on shore in view of the ship, on Monday the 22nd instant, the treaty which had previously been perfected was to be sealed, signed and delivered. Translations of the documents delivered follow:

Great America, United States.

Great President of the
I now send Commodore Shufeldt of the United States Navy with this letter. Greeting: to meet and confer with your honorable nation and your government, and to consult as to signing a treaty of friendship and commerce. Reposing confidence in Commodore Shufeldt's integrity and ability I give him full power of the United States to sign a treaty

This treaty treaty to be transmitted to the United States and the senate to be satisfied. In proof of this I seal it and sign it in Washington, November 15th 1881, and the one hundred and sixth year of the independence of the United States.

Great America, Imperial Decree of Commodore Shufeldt U.S.N. Special Envoy with full power.

I enclose a copy in Chinese of a letter to me from the President of the United States authorizing me to make a treaty of friendship and commerce and will also send a letter from the President of the United States to his Majesty the King of Chosan, after the treaty is signed.

I will be obliged if you will give them your consideration. I am awaiting your reply on board my ship and hope that you will act justly for your nation in order to accomplish this treaty.

To the Full Power Board of Civil Office of Chosan

With compliments &c
(sgd) R.W. Shufeldt
Commodore U.S.N.

#14

May 22nd.

At 9.30 am Commodore Shufeldt accompanied by Comdr. P.H. Cooper, Lieuts. E.C. Pendleton and H.A. Tyler, Surgeon J.C. Hawke, Paymaster H.T. B. Harris, Chief Engineer A. Adamson, Ensigns W.F. Fullam, W.G. Davids and O.V. Lansdale, Cadet Midshipmen J.E. Mahoney, A.B. Andrews and H.L. Ballentine and Cadet Engineers W.H. C. Hanson and C.A.E. King and proceeded by the marine guard of the U.S.S. Swatara, under command of 1st Lieut. W.F. Spicer, left the ship and proceeded to the place previously selected for the signing of the treaty between the United States and Corea, which was on the main land near the town of Jaimots fo, and in full view of the ship at anchor in Roze Roads. ~~We~~ proceeded at once to the tent which had been put up by the corean authorities, finding there present the two commis-

sioners on the part of Chosen, Shin Chen. President of the Royal Cabinet and Chin Hong Chi, member of the Royal Cabinet, with their suite and Ma. Taotai, and Admiral Ting and Captain Clayson of the Imperial Chinese Navy. After a little preliminary conversation, the six copies of the treaty, three in English and three in Chinese, were sealed and signed by Commodore Shufeldt on the part of the United States and by the two commissioners already named on the part of Chosen.

As soon as the signing was completed, at a signal from the shore, the Swatara fired a salute of twenty one guns in honor of the King of Chosen.

Commodore Shufeldt and party then returned on board the Swatara

Cl May 22

Commodore Sheffield accompanied by Officers of the Ship, proceeds to the place where the Royal Members of the Cabinet had appted. for signing treaty

#15

Nagasaki Japan
June 5th 1882.

Commander R. P. Cooper U.S.N
Commanding U.S.S. Iwatara

Sir,

The duty assigned you by Rear admiral Clitz; of conveying me to Corea for the purpose of making a treaty between the United States and that country, and afterwards returning with me to any port I might select in China or Japan; has been satisfactorly and thoroughly performed, and the Iwatara under your command has become identified with one of the events of modern history.

I now have the honor to inform you that I have no further occasion for your services, and while doing so I beg to express to you, to your officers and your men, my high appreciation of the cheerful aid offered me in the performance of a somewhat difficult duty, an the skill and care exhibited

in the navigation of the ship
in unknown waters.

I am,

with great respect & esteem

Your obedient servant

(Sgd.) R.W. Shufeldt

Commodore USN

Nagasaki Japan
June 5th 82

Letter thanking and expressing
high appreciation for offices
of the Iwatsu

Nagasaki Japan...
June 5th 1882.

Rear Admiral J.M.B. Clitz USN
Comdg. U.S. Naval Forces on the
Asiatic Station.
U.S. Flag Ship "Richmond"

Sir:

I have the honor to inform you that I have this day notified Commander Cooper, that I have no farther occasion for the services of that in connection with my mission to Corea. Commander Cooper at my request stopped at Shanghai for a few days, in order that the necessary translations of the documents connected with the treaty might be made by an interpreter responsible to our government. This having been done, and the treaty and necessary correspondence thus translated having been forwarded to the United States by the first mail; Commander Cooper by my request brought me to this port.

I desire to express to you my sincere satisfaction with the very efficient manner in which this duty has been conducted by Commander Cooper, and the Officers and men under his command. Nothing whatever occurred, in the least degree to retard the duty, although the ship was compelled to navigate rather difficult waters, and the officers and men to exhibit great consideration in their association with a people who had hitherto known but little of western nations.

If not improper on my part, I should like to have conveyed to the Hon. Sec. of the Navy, my appreciation of the services thus rendered, at the same time, I desire to express to you both Officially & personally, my thanks for your ever ready offer of co-operation in a service which fortunately needed no other ship than the Swatara; but which in its results will be creditable to your command and our Navy. I am, with great respect,

Your obedient servant
Wm. R. Shufeldt
Commodore

U.S.S. Shiloh

Nagasaki Japan
June 5th 1872.

Letter informing the Admiral
that his duty with Swatara
is finished, expressing great
satisfaction for the Officers
& men of Swatara

Requisition for Stationery Aug. 3 1882 Ordered. Stationery will be sent Aug 4 1882 Ordered

No. 123. One Enclosure.

DEPARTMENT OF STATE
JUL 31 1882
RECEIVED

Legation of the United States.
Peking, June 10th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Requisition for stationery.

Synopsis.

Encloses memorandum of stationery needed. Asks that it be sent forward as speedily as possible, in order that it may be received before navigation north from Shanghai closes.

No 123. One Enclosure.

Legation of the United States
Peking, June 10th, 1882.

Honorable F. T. Frelinghuysen
Secretary of State.

Sir:—

I have the honor to enclose herewith a memorandum of stationery needed in this Legation. 1/123.

I have not dared to await Mr. Young's arrival before transmitting this requisition to the Department for fear that by so doing the supplies might fail to reach us before the close of navigation next autumn. In order to avoid this I beg that the supplies asked for may be forwarded with the least possible delay.

I have the honor to be,

Sir

Sir,

Your obedient servant

Chester Holcombe

Enclosure.

1- Requisition for stationery.

Despatch No. 123.

Enclosure.

Memorandum of Stationery needed for Legation at Peking.

3 reams paper like sample "A"
1 do do do do "B"
200 printed envelopes do do "C"
200 unprinted do do do "D"
12 spools red tape
12 balls wrapping twine
2 glass ink-stands
2 dz. sheets oiled paper for copy-press books foolscap size.
2 dz. sheets blotting paper for copy-press books foolscap size.
4 erasing Knives
4 Fabers ink & pencil erasers
2 ivory paper-Knives

Legation of the United States.
Peking, June 10th, 1882.

Copy to Senate Com. on For. Rel. relating to the Corean treaty now before Senate Aug 3. 1882 on file

ack

mdan

No. 124.



Legation of the United States.
Peking, June 12th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Treaty negotiations with Corea.

Synopsis.

Refers to despatch number 117.
Treaty with Great Britain signed June 6th. French Agent now in Corea, German awaiting full powers at Tientsin. All have adopted the terms of our treaty. Russian Minister will move in the same direction at an early moment.

No. 124.

Legation of the United States.
Peking, June 12th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:

Referring to my despatch, number 117. of May 29th, in regard to treaty negotiations between the various foreign Powers and Corea, I have the honor to inform the Department that I have just received a note from Sir Thomas Wade stating that Admiral Wells signed a treaty with Corea on behalf of Great Britain on the 6th instant. This Convention is substantially identical with our

our own.

Monsieur Hillon, French Consul at Tientsin, is now in Corea as the Agent of his Government negotiating a treaty. Contrary to the surmise contained in my despatch mentioned above, France has notified the Chinese Foreign Office that it was prepared to accept a treaty with Corea similar in all respects to ours, and with this understanding has asked and received the good offices of China.

The German Minister has done the same thing and is now at Tientsin awaiting the arrival of full powers from Berlin, when he will at once

set

set out for Seoul.

And the Russian Minister informs me that he proposes at an early day to take a course similar to that adopted by his European Colleagues.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

RECEIVED
JUN
17
1882
DEPT OF STATE

Rec'd. from Treasury June 30 1882 Circular

Sent to Customs No. 102

Telegram

Tientsin China

Secretary State.
Washington.

Teeche Magistrate removed from office for Mobs and insults to Tuck.

Holcombe

Mr Adee

approve commend his energetic action and constant attention to the answer to his note of June 15th to Prince Kung his early safe delivery communicate to Chinese Govt the satisfaction with which we

No. 125. Dated Aug 10. 1882 Received

Four Enclosures.

Legation of the United States.

Peking, June 15th, 1882.

DEPARTMENT OF STATE JUL 31 1882 RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Ill treatment of Consul Zick at Le Cho.

Synopsis.

Refers to previous despatches and encloses further correspondence. The Sub Prefect has been removed from office. Mr. Holcombe has informed Prince Kung that this action, if it means permanent removal from office will, with certain other conditions, doubtless be accepted by our Government.

Had

Has telegraphed the fact to the Department. Asks approval of action.

No. 125. Four Enclosures

Legation of the United States.
Peking, June 15th, 1882.

Honorable F. T. Frelinghuysen,
Secretary of State,

Sir:—

Referring to my despatches numbers 102. of May 13th, and 116. of May 29th, in which was given an account of Mr. Zucker's two visits to Tē bho, of the insolent treatment which he received at the hands of the Sub Prefect and of the mob violence to which he was subjected, and of the action taken by me in the premises, I have now the honor to lay before the Department certain papers which show the further steps taken, which steps have resulted as I believe in a satisfactory termination

of

of the whole business.

Having waited a reasonable length of time for the results of the orders issued by Prince Kung, as reported to me in his communication of May 24th (despatch No 116. enclosure 7) and hearing nothing further, upon the 8th instant I addressed H. I. H. again. A copy of my letter is enclosed. In it his attention was called to what seemed to me to be unnecessary delay. He was reminded that in outrages of this class reparation to be worthy of the name must be not only ample but immediate. And it was pointed out that an offense of this character being committed against an officer of the United States, publicly known as such, and traveling upon official business, is an offense and an indignity to the

Government

Government of the United States for which, by all the precepts of International Law, the Government of China must be held responsible.

Upon the 12th instant the Ministers of the Foreign Office informed me verbally that the Te Cho Sub Prefect had been removed, and upon the 13th instant I received a despatch from Prince Kung to the same effect, a copy of which is enclosed. In it the Governor of Shantung is quoted as saying that the Sub Prefect in failing to take measures for the protection of Messrs Guek and Taylor, and in violations of propriety in his interviews with them was guilty of delinquencies for which there could be no excuse, and that he must therefore be recalled. He states further that one man has been punished for assaulting our people, and that it would

2/25.

be

be difficult for reasons given to attest and punish the others. He proposes to issue two proclamations, one upon the missionary question, and one in regard to the assault upon Messrs Duck and Taylor.

The action taken by the Governor appears to me to be quite satisfactory excepting perhaps, in two particulars. Both of these are discussed in detail in my reply to Prince Kung - a copy of which is enclosed, I think it necessary to call your especial attention to but one of them. The Chinese characters used in the phrase. "He (the Governor) feels bound to order the recall of the said Sub Prefect" may be translated either to mean "permanently removed from office" - or - "removed and transferred to another post". There is but little doubt that these indefinite

3/128

indefinite characters were intentionally used. At the same time I do not believe that this official will be given another post, at least for some time to come.

However I have called Prince Kung's attention to this point and declared plainly that if he means that the Te-Cho Sub Prefect has been permanently removed from office, the United States will doubtless accept this as a just reparation, and as a suitable punishment for the many grave misdemeanors of which that official has been guilty. And I have further stated that if, on the other hand, the Governor means that the Sub. Prefect has been recalled to be appointed to anothe, and perhaps better, post, our Government will be far from satisfied with such action.

I have assured H. I. H. that it was not my desire that any more arrests

be

be made of persons implicated in the two riots; that the late Sub Prefect was personally responsible for both disturbances; and that with the genuine punishment of the man Li and the Sub Prefect, and the issue of suitable proclamations as proposed by the Governor, my Government will be entirely satisfied and prepared to close the business.

As I had telegraphed the Department of the insults and mob-violence at Te-Cho, and asked instructions, which I have not received, it has seemed proper to inform you by cable of the action taken by the Chinese Government, which has been done as per copy enclosed.

4/25.

The Department may now, I believe, rest assured that our troubles at Te-Cho are practically ended. They have been a source of great anxiety to me and have

called

called for much patience and care in dealing with them. But the moral effect of the results secured, first in regard to the stamping and registry of the widow's deed of gift, with which the business originated, and later in the summary removal of the Sub-Prefect — the moral effect of these victories will serve in a most wholesome way to deter other Chinese officials from imitating the example of the Te Cho Sub Prefect, and so save us further trouble. In this view of the case, the outcome fully justifies the course taken in the business, and pays for all the labor and trouble involved.

I respectfully request your approval of my action as herein described.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosures

Enclosures.

1. Mr. Holcombe to Prince Kung—
   52/1882. June 8th, 1882.

2. Prince Kung to Mr. Holcombe
   53/1882 June 13th, 1882.

3. Mr. Holcombe to Prince Kung
   55/1882. June 15th, 1882.

4 Telegram to Department.
   June 16th, 1882.

Despatch No. 125.

Enclosure 1.

52/1882

Mr. Holcombe to Prince Kung.

June 8th, 1882.

Y. I. H.

I feel obliged to call the attention of Y. I. H. again to the disrespectful treatment and mob violence to which the representatives of this Legation were subjected at Te Cho in April and May last.

The details of this affair have already been fully laid before you, and need only be briefly referred to here. Messrs Zuck and Taylor were insolently treated by the Sub Prefect of Te Cho, and assailed by a mob, in the first instance upon the 12th of April, and the fact was brought to the notice of the Foreign Office by me in personal conversation upon the 24th of the same month. They were again disrespectfully treated by the Sub Prefect,

and

and assailed by a mob for an hour and a half upon the 2nd of May. I learned this upon the 7th of that month, and next day met the Ministers at the Foreign Office and spoke with them at length in regard to these gross outrages and upon the 10th ultimo I addressed Y. I. H. formally in the premises. In the meantime Y. I. H. had received a report from the Governor of Shantung to the effect that the first mob was only "an unavoidable crowding" of the villagers drawn together by curiosity. You communicated this to me upon the 13th May and added that you had directed the Governor to make a rigid investigation. Again upon the 24th May, in response to my further despatches in the premises Y. I. H. informed me that you had sent secret instructions by flying courier to the Governor of Shantung instructing him most positively to investigate and close the matter.

It

It is now nearly two months since the first of these outrages occurred, and more than one month since the second and grosser of the two was brought to the notice of H. I. M. During this period I have waited quietly and with patience in the hope that the steps taken by H. I. M. would secure ample reparation for the indignities to which my Government has been subjected in the person of one of its officers. While I have doubted from the outset whether the reference of the business to the Governor of Shantung was likely to produce satisfactory results, or indeed comported with the very grave character of the circumstances, I have still waited in the hope that such vigorous and prompt measures would be taken by him as would at the same moment solve my doubts, and satisfy the insulted dignity of the Government

of

of the United States. In cases of this sort, Y. I. H. needs not to be informed, reparation to be worthy of the name, must be not merely ample, it must also be immediate. And I regret to say that, in my opinion, unnecessary delay has arisen in the case under discussion. Upon the 13th of May Y. I. H. informed me that you had issued instructions to the Governor. It requires only some three or four days for your couriers to reach Chi-nan-fu. Yet careful inquiry has revealed the fact that, up to May 29th, no action at Tê Cho had been taken, and that the Sub Prefet, secure and successful in his former efforts to harass and persecute foreign missionaries and native Christians, and to insult and instigate two assaults upon officials of the United States, was still pursuing his illegal course and that unoffending native Christians, in danger of their

their lives within his jurisdiction, were flying from their homes and seeking refuge at Tientsin.

The Government of the United States surely cannot be expected to submit quietly to this state of affairs. Your Government justly holds its local officers responsible to His Imperial Majesty for the maintenance of peace and good order within the limits of their jurisdiction. The mere fact of the unprovoked riotous assaults upon two American Officials at Te Cho shows that the Sub Prefect is unfit for the authority which he holds. And, unfortunately, they go further and prove more. They prove that he is directly responsible for both assaults, as the direct instigator and prime mover in them. For, as to the first assault, it commenced at the very gate of his Yamen at the conclusion of an official visit to him, and after Messrs

Gulick

Jueck and Taylor had been in Te Cho for 24 hours and had ridden about the streets undisturbed and unmolested. But, even supposing the first attack were unexpected by him, were he fit for his position, he would doubtless have taken ample precaution to see that the outrage was not repeated. Yet what are the facts? Nearly three weeks later my representatives returned to Te Cho, and they were again assailed as they had been in the first instance only more grossly and outrageously, the street police refused them any protection or help and the Magistrate refused to arrest and punish the offenders. The proprietor of an inn caught in the act of throwing stones at Mr. Jueck, and taken by Mr. Jueck's escort before the Magistrate, was allowed to escape, was brought back, and then my representatives were further insulted by the Sub Prefect in

the

the farcical punishment to which this man was subjected in their presence. And to make the case if possible more serious, Mr. Juek's return to Te Cho was not only known in advance to the Sub Prefect but he came and stopped there in response to a written request from that official. There is now on file in this Legation the note, written by the Sub Prefect, in which he invited Mr. Juek and Mr. Taylor to stop at Te Cho upon their return from Chi nan fu. And this is the way in which they were received.

In view of these facts which are indisputable and notorious, it is impossible to see what just ground there can be for this delay in bringing the Sub Prefect to account for his evil deeds. No prolonged investigation is necessary. The facts are open and undeniable. And I am bound to say at

(all

all frankness, yet from no unfriendly motive or feeling, that this needless delay not only increases the feeling of indignation at the gross insults to which an officer of the United States has been subjected, but it goes further, and excites a doubt as to the intention of the Governor of Shantung to make any satisfactory reparation.

It is perhaps proper that I should point out to Y. I. H. that an offence of this character, being committed against an officer of the United States, publicly known as such, and traveling upon official business, is an offense and insult to the Government of the United States for which, by all the precepts of International Law, the Government of China must be held responsible. And while Y. I. H. has seen fit to refer the matter to the Governor

of

of Shantung for adjustment. I beg Y. I. H. not to forget that this very serious question rests, not between the United States and the Governor of Shantung, but between the former and the Government of China, and that no reparation can be accepted by us which fails to include the condign punishment of the Magistrate at Te Cho who has been the source and cause of all the indignities and outrages to which our officers and people have been subjected in that city.

I appeal again to that strong sense of justice for which Y. I. H. is so distinguished, and beg that you will not allow this case to be further aggravated by prolonged and needless delay.

I have &c.

(signed) Chester Holcombe.

Despatch No. 125.
Enclosure 2.

53/1882

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

I have had the honor to receive your communication of the 9th instant in regard to the Te Cho case in which you referred to the correspondence that had passed between us on the subject, and briefly narrated the events connected with the visit of Mr. Consul Zuck and party to Te Cho. You requested me to deal with the case according to the disposition which I have heretofore manifested in the settlement of such cases, and without further unnecessary delay.

In reply I have the honor to say that on the day following the receipt of your communication I received a letter from the Governor of Shantung stating that — as regards the two visits of Consul Zuck and party to Te Cho and the riotous proceedings of the people during their second visit —, since the Sub-Prefect was unable to take steps to prevent the outrages

against

against the foreign officials in their journey through his district, and as in their interviews with the Sub Prefect the latter was guilty of many breaches of propriety - his delinquency is inexcusable. He (the Governor) feels bound to order the recall of the said Sub Prefect, and a competent officer will be appointed to succeed him. The Taotai of Chi nan fu will also be requested to issue proclamations for the district of Te Cho to the end that Christians and non-Christians may live together in peace. In reference to the second mobbing of the foreign officials, the man named Li has already been punished and collared with the cangue as a warning against the offence; but as the other rioters were not arrested at the time, and as their names are unknown, it is feared that if arrests are now made at random, innocent persons will be made to suffer. In order, however, to prevent the recurrence of such outrages it is expedient that a stringent proclamation be issued. As regards the prohibitory proclamation against sorceries and the

Blair

black-art, during the 2nd moon of this year the whole neighborhood of Chi-Ning-Chow was actually disturbed by ear-clipping and other practices such as the drawing of mysterious marks; the Taotai and Prefect of Chi-nan-fu had issued proclamations for the arrest of such sorcerers, and as the district of Te Cho was quite near, and the craze would inevitably reach there, it was found necessary to issue proclamations. It appears consequently that the proclamation complained of was not intended as an impediment against Christianity, etc.

As regards the Ku Shui Pu Case the Governor represents that he had received reports from both the Prefect of Chi nan fu, who stated that no complaint had been lodged with him, and the Sub Prefect of Te Cho, who stated that he had not sent any constables to investigate such a case. I have already requested the Governor to order a rigid investigation to be made of this case, and I hereby communicate to you the steps taken in relation to the riotous proceedings of the people of Te Cho against your officers and people.

He

F. E. Chester Holcombe,

etc. etc. etc. etc.

Peking. June 13th, 1882.

Despatch No. 125.
Enclosure 3.

55/1882.

Mr. Holcombe to Prince Kung.

June 15th, 1882.

Y. I. H.

I have had the honor to receive Y. I. H. despatch of the 13th instant narrating the steps taken by the Governor of Shantung in relation to the riotous proceedings of the people of Te Cho against Messrs Zuck and Taylor in April and May last.

It will afford my Government much satisfaction to learn that the Governor has so promptly and justly removed the Subprefect, and has appointed in his stead an officer who, we trust, will faithfully execute treaty stipulations, and who will not go out of his way to disturb the peaceful relations which have so long and so happily existed between China and the United States.

Y. I. H. states that the man Li has already been punished for participation in the second mob, "but as the other rioters "were not arrested at the time, and as their "names are unknown, it is feared that "if arrests are now made at random, innocent

persons

"persons will be made to suffer." Upon this point I beg to inform Y. I. H. that it is not my desire that any more arrests be made of persons implicated in the two riots. This Legation is animated by no spirit of revenge, and is only desirous that protection and peace should be secured to the officers and citizens of the United States in this Empire. Furthermore the late Sub Prefect of Te Cho is personally responsible for both riots, the populace only did what they were incited by him to do, and he is the party upon whom severe punishment should be visited. In this connection I beg to call your attention to the phrase in Y. I. H. despatch which says that the Sub Prefect has been "recalled and transferred" (Chè tiao). If this expression, which is not quite explicit, means that the Sub Prefect has been removed from office because of his criminal misconduct at Te Cho, I am prepared to say that this action on the part of Y. I. H. will, I doubt not, be considered as satisfactory reparation by my Government for the

insult

insults and injuries which the deputy from this Legation received at his hands. But if this phrase means that the Sub-Prefect has been removed from Tê Cho only to be transferred to another equally good or even better position elsewhere, I am bound to say that this action will be considered as far from satisfactory by my Government. I beg from Y. I. H. an explanation upon this point.

So too with regard to the statement that "the man named Li has already been "collared with the cangue". If the Governor in using this expression refers to the farce of a punishment inflicted upon the innkeeper in the presence of Messrs Buck & Taylor, I am bound to state distinctly that it was not only no punishment at all, but was an indignity and an insult to them and to our Government. If he refers to that, I must beg Y. I. H. to see that the man Li is farther dealt with. I trust and believe however that the Governor refers to a later and genuine punishment inflicted under his own orders. With the genuine

punishment

punishment of the Sub Prefect, and the man Li, and the issue of suitable proclamations as mentioned in Y. I. H. despatch under reply, I am convinced that my Government will be entirely satisfied and prepared to close the business.

In reference to the Ku Shui pu case, while the Sub Prefect of Tê Cho declares that he had not sent constables to investigate any such case, it remains a fact that the man Kao Erh who went at the head of the business to Ku Shui pu was the man in charge of the Sub Prefect's stables, and he declared repeatedly, as did his associates, whose names are unknown, that they were acting under the Sub Prefect's orders. I would suggest that a rigid examination of the man Kao Erh may serve to determine where the responsibility for this wicked libel should rest. I thank Y. I. H. for ordering a rigid investigation and beg to be informed of the results.

In the foregoing remarks I beg Y. I. H. to be assured that no desire is felt either to carp needlessly at the action

action taken by the Governor of Shantung nor to interfere in his administration of the affairs of his province, an administration which is in general, I doubt not, wise and just. On the contrary I am solely influenced by a desire to protect the rights and preserve the dignity of the Government and people of the United States, and, as the best means to that end, to labor, conjointly with Y. I. H. and the ... high officers of your Government, to permanently remove all possible causes of disagreement and discussion.

I have etc.

(signed) Chester Holcombe.

Despatch No. 125.
Enclosure 4.

Secretary State,
Washington.

Te Cho Magistrate removed from office for mobs and insults to Juek.

Holcombe.

Peking, June 15th, 1882.

Approved and sent Mr Adee

approve

No. 126. Two Enclosures.

Legation of the United States.

Peking, June 19th, 1882.

DEPARTMENT OF STATE
JUL 31 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

The "Chinanfu Case."

Synopsis.

Refers to despatch number 114. and encloses despatch from Prince Kung asking that the missionaries be instructed at once to arrange with local authorities for exchange of premises. For reasons given at length in his response Mr. Holcombe declines to do this. States reasons of this action and asks approval of Department.

No. 126. Two Enclosures.

Legation of the United States.

Peking, June 19th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

In my despatch number 114. in the "Lehmanfu case", I furnished the Department with a copy of a letter to H. I. H. Prince Kung requesting the restoration to the missionaries of the premises originally purchased by them and protection in their use and occupancy.

I now have the honor to enclose herewith a translation of a despatch in response in which

No. 126.

which the Prince informs me that the Governor of Shanting still proposes to settle this case by an exchange of premises, and H. I. H. requests me to instruct the missionaries to consult with the deputies appointed by the Governor in order to adjust the business upon this basis.

2/26. I enclose a copy of my response to H. I. H. in which I have declined to accede to his request, and have reiterated my demand for the restoration of the original premises, full protection in the use and occupancy of them, & payment of all losses, and the

arrest

arrest and punishment of the rioters. I have also, in my response, reviewed the case at length and controverted certain statements made by the Governor and quoted by the Prince.

As I have already advised the missionaries to close with any offer of suitable premises in exchange made by the local authorities (see despatch No. 114. inclosure 3.) my refusal to accede to the request of H. I. H. may appear more like a stratagem than like straight forward diplomacy. But the purpose of the Chinese authorities, if my experience in China counts for

for anything, is manifestly to force us to their own terms out of sheer weariness and disgust with the whole business. To accede to the request of the Prince would therefore mean the + subjection of the missionaries, and of this Legation, to another twelvemonth of trifling and + unsatisfactory action on the part of the local authorities, + unless, indeed, we gave the + whole case up and accepted anything which they might offer at the expense of the rights and just demands of our people.

On the other hand, by insisting upon the restoration of the original premises, I +

expect

expect, as intimated in earlier despatches, not indeed to secure the restoration of them, but the proffer, at an early moment, of really suitable premises in their stead. When the local authorities find that they must either give back the original property or provide other equally good, they will make no delay in doing the latter. For, as I have repeatedly informed the Department there has never been any lack of available premises in Chinanfu. The only lack has been that of a disposition to do justice on the part of Chinese officials.

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In this view of the case I trust that the Department will approve my action.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosures.

1. Prince King to Mr. Holcombe 54/1882. June 13th, 1882.
2. Mr. Holcombe in response. 56/1882. June 16th, 1882.

Despatch No. 126.
Enclosure 1.

54/1882.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

In the "Chi-nan-fu case" I have received a despatch from the Governor of Shantung on the 10th instant in which he still proposes to act upon the plan hitherto discussed in person with Consul Fuck and Interpreter Taylor, and to appoint deputies to consult with the Literati and find other premises. But he remarks that buildings are very hard to find, and the business must be deliberately mapped out. It cannot be done in a hurry. American missionaries have been in Shantung province for many years; they have sought premises in various parts of Chi nan-fu, and have never been interfered with or molested by the literati and people. In the case of the premises of Chiao-tung-hsing, they were very near to the Provincial University, the local authorities were not notified and no legal deed stamped,

Lee

Liu Yu ting Tiao Erz and others concerted to impose upon and deceive the missionaries, and to divide among themselves a fat price for the property and the literati and people were necessarily enraged. Because of this the missionaries surrendered the premises which were not destroyed. And still less were the missionaries driven out of them. Thinking it better to seek peace between the Christians and the populace they preferred mutual concession. In regard to property lost, it will only be necessary for the missionaries to furnish proofs, and it will not be difficult to restore it. etc. etc.

It becomes my duty to lay the report of the Governo before you for your consideration, and to request you to instruct Messrs Murray and Hunter, the two missionaries concerned, to consult amicably with the deputies appointed, in order to arrive at a settlement of this case.

Hon. Chester Holcombe,
etc. etc. etc. etc.
Peking, June 13th, 1882.

Despatch No. 126.
Enclosure 2.

56/1882.

Mr. Holcombe to Prince Kung.

June 16th, 1882.

Y. I. H:—

I have had the honor to receive Y. I. H. despatch of the 13th instant in the "Chi-nan-fu Case" in which it is stated that the Governor still proposes to appoint deputies to consult with the Literati and find other premises; that buildings are hard to find and the business must be deliberately mapped out, it cannot be done in a hurry. And Y. I. H. requests me to instruct Messrs Murray and Hunter to consult amicably with the deputies appointed, in order to arrive at a settlement of this case.

Y. I. H. further quotes the Governor as declaring that missionaries have sought premises in various parts of Chi-nan-fu, and have never been

been interfered with or molested by the literati and people; that the premises of Chiao-tung being were very near to the Provincial University, no notice was given to the authorities and no deed stamped; that certain persons conspired to deceive and impose upon the missionaries and divide a fat price for the property; and that this necessarily enraged the literati and people; that the premises were not destroyed; nor were the missionaries driven out but that they surrendered the premises as a concession and because they were desirous to secure peace between the Christian and non-Christian Chinese etc. etc.

I must confess to a feeling of great surprise that Y. I. H. should again request me to instruct Messrs Murray and Hunter to consult with deputies with a view to arrange

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for an exchange of properties at Chi nan fu.
It is now eleven months since the riot there,
and during nearly this entire period the
most earnest efforts have been made on our
part, in good faith to secure an amicable
settlement of this case on the basis of an
exchange of properties. Some six or seven
instructions have been sent from this Legation
to our people, advising them to meet the local
authorities promptly and cordially and to accept
any premises offered that were reasonably
satisfactory. And in justice to the missionaries
it should be said that they have done everything
in their power to settle this business. Y. I. H.
would not expect that if Mr. Wang has taken
a jade snuff-bottle from Mr. Chang by force
that Mr. Chang should be willing to accept
from Mr. Wang a glass snuff bottle as an
equivalent for it. Nor can the missionaries

(be

be expected to accept poor premises in a bad location in exchange for those which they had legally acquired and of which they had been forcibly deprived. They have done all and more than all that could be in reason expected of them to secure an amicable arrangement of the matter. And Y. I. H. is more or less well informed as to the treatment which they have received at the hands of the local authorities of Chi nan fu. They have repeatedly been kept waiting in the dead of winter in the street at the door of the officials appointed to arrange this business. They have been denied interviews in more than one instance. They have been met on the streets with cries of "Foreign Devils" and "Kill them" from the mouths of members of the Governor's own retinue. They were told on one occasion by the Taotai Chang

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in an exceedingly brusque and offensive manner that if they did not accept there and then certain premises which had been often declined, and which I had informed Y. I. H. would not be accepted, that nothing more would be done for them in the business. And when in reply they again respectfully but quietly declined the premises, the Taotai broke out in a torrent of abuse, and grossly insulted not only the missionaries but this Legation and the Government of the United States. Y. I. H. surely does not expect me to subject American citizens again to this sort of treatment.

After nine months of unavailing effort to secure an amicable arrangement of this case between the missionaries and the local authorities, being exceedingly desirous of carrying out this policy of "mutual concession," I sent, as Y. I. H. is aware, a deputy from this

Legation

Legation to Chi nan fu to manage the business upon the same basis if possible. And Y. S. H. knows well the entire failure of this last and kindly meant effort on my part. My deputy was courteously received and many promises were made but absolutely nothing was done. The effort was renewed to have the missionaries accept premises which had been repeatedly refused, but no sincere effort was made to procure suitable buildings in a proper location. Nor was any effort made to check the incendiary conduct of the Literati who, under the leadership of Li, an ex-Governor of Honan, made the most violent threats against any person who should dispose of his property to foreigners, and by whom no less than four incendiary placards were posted while Mr. Tuck was in Chi-nan-fu. The attention of the Governor was called to these placards but he

he refused to order their removal or to issue a proclamation forbidding such action, declaring that they had nothing to do with foreigners! Copies of the placards are herewith sent to Y. I. H. that you may judge for yourself whether the Governor's assertion is correct.

In view of these repeated efforts, made in good faith on our part and yet unavailing, to secure a settlement of this case upon a basis of exchange of properties. I must decline to comply with Y. I. H. request to instruct Messrs Murray and Hunter to consult with the deputies appointed to secure an exchange of properties, and must earnestly renew my request that orders be sent to this man fu to restore to the missionaries the property of which they have been forcibly and illegally deprived.

The Governor declares that the buildings were not destroyed, nor the

missionaries

nor the missionaries driven out of them. It is true that the walls and roof are still standing. It is also true that the missionaries were not literally driven out, as neither of them happened to be in the building when it was attacked by the mob. But it is also true that the mob tore out and destroyed the entire interior of the premises; that this mob worked their will on the property for 6 hours unchecked and unmolested, in the very face of a promise made by the Taotai the previous day that the property should be protected; and that when the mob had finished its work soldiers came and took possession of the property to which official seals were affixed which seals remain to this day.

But if, as the Governor asserts, the missionaries were not expelled from the property in question, but yielded it temporarily

temporarily in the hope that suitable premises would be secured them in its stead, which hope has long since been dispelled, the case admits of an easy and immediate solution. Let the Governor remove the seals from the premises, restore them to the missionaries, and protect them in the occupancy and use of their property, and thus the whole business will be settled at once.

But the Governor remarks that the premises are near to the Provincial University. What if they are! No objection would be raised to the establishment of a Buddhist or Taoist Temple in such a locality, and hence no valid objection can be urged against a Christian Chapel in the same place for under the distinct meaning of the treaties Christian Chinese have the same right to construct and use their houses of worship as Buddhist and Taoist

Taoist Chinese have to theirs.

But the Governor adds that no notice was given to the local authorities and no legal deed stamped. Nothing in the treaties requires that such notice should be given. On the contrary local authorities are by the treaty expressly forbidden to interfere unless objections are raised by the neighbors. That no objections were raised is proved by the fact that they all signed the papers of transfer, that they were all present at a feast given as usual at the conclusion of the sale, and that the riot did not occur until nearly six months after the property had changed hands, and, in the meantime no complaint or objection had been lodged in any Yamen against the transaction. No legal deed was taken out because the property in question is "mei baing ti" for which in that province no formal deeds are

taken

are taken out.

The Governor further declares that the literati and people were necessarily enraged because certain persons had conspired to deceive the missionaries and to divide a fat price for the property among themselves. But why should they be angry at this? The money came from the missionaries who were quite ready to pay the price asked, else of course the bargain had not been concluded. The missionaries have not complained to me that an exorbitant sum was demanded. Even if they had, what had the literati to do with that? It is no business or concern of theirs. Even more, if the missionaries had been imposed upon, was not that quite sufficient, without their also being mobbed by the literati? That, to say the least, was a peculiar manner of

Correcting

correcting the imposition to which the missionaries had, so say the literati, been subjected, and at which the literati were "necessarily enraged".

The Governor further declares that "the missionaries have sought premises "in various parts of Chi nan fu and have "never been interfered with or molested "by the literati or people." So far as the people is concerned this is strictly true. There, as elsewhere in China the people when let alone have invariably shown themselves kind, polite, and well disposed towards foreigners. In an experience of 13 years I can say with perfect justice that no so-called "missionary-case" has ever arisen, no case of mob-violence, but that it was conclusively shown that the people were incited to acts of violence and wrong towards

towards the foreigners by the literati and petty officials.

But as regards the literati of Chi nan fu the Governor is manifestly mistaken. If not how can he explain the four placards which were posted by the literati while Mr. Gulick was in Chi nan fu,? And how will he account for the repeated declaration therein that if any person dared to sell his property to foreigners, the literati would destroy the buildings, seize the family of the seller" and eat their flesh?" And how will he account for other expressions equally violent and abusive with which these four placards are crowded? The fact is that in Chi nan fu as so often elsewhere, the literati at the outset stirred up this trouble, headed the mob, and now for nearly twelve months have been actively engaged in preventing either

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an amicable or a just settlement of the case. Knowing little or nothing of foreigners themselves, they are filled with an absurd and unreasoning contempt and dislike of them, which they seldom fail to manifest. This of itself would be of little consequence, were it not that this absurd dislike often leads them into acts in violation of law and treaty obligations, which in turn imperil the good relations existing between China and foreign Powers. And I respectfully submit that it is high time that the literati of Chi nan fu were given distinctly to understand that they must cease from meddling in this case, attend to their own business, and leave to the Governor business with which he has been intrusted and which he is entirely competent to manage. I say this from no feeling of dislike or ill will towards that large

and

and influential class in China, but from a deep and well grounded conviction that their constant interference in public business works mischief to the true interests of China, and has in more than one instance seriously imperilled her good relations with foreign Powers.

I beg to repeat in conclusion that I cannot issue the instructions to Messrs Murray and Hunter which Y. I. H. has requested. On the contrary I must repeat the request made in my despatch of the 20th May, that Y. I. H. will take such measures as will effectively secure the following results:—

1st The restoration of the original premises to the missionaries and full protection in the occupancy and use of them.

2nd Reimbursement for the damage done

done to the property by the mob.

2nd The arrest and severe punishment according to law and treaty of the leaders in the riot.

4th The issue of suitable proclamations and orders to prevent a recurrence of such outrages against citizens of the United States.

I have etc.

(signed) Chester Holcombe

Act

No. 127. One Enclosure.

Legation of the United States.

Peking, June 19th, 1882.



Chester Holcombe to

the Secretary of State.

Subject

Treaty between China and Brazil.

Synopsis.

Forwards French text of ratified Treaty. Refers to Mr. Angell's comments in his despatch number 108. Important modification in Article I. and an "Opium "Article" has been added.

No. 127. One Enclosure.

Legation of the United States.

Peking, June 19th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have the honor to enclose herewith, for the information of the Department, a copy of the French text of the Treaty between the Empires of Brazil and China, ratifications of which were exchanged at Shanghai upon the 3rd instant. An English translation will follow as soon as it can be prepared. 1/127.

With his despatch, number

108.

108. of February 3rd/4, 1881. Hon. Angell furnished the Department with the English translation of this Treaty from the Chinese text, and commented at length upon certain objectionable concessions made in it. Comment by me therefore is unnecessary further than to remark that Article X. has been so modified as not to allow Chinese officials to search Consular residences for refugees from justice, or to make arrests thereon; and an "Opium Article", identical in substance with Article II. of our Commercial Treaty of 1880. with China, has been

been added.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

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Enclosure.

1. French text of ratified Treaty between China and Brazil!

Despatch No. 127.

Enclosure.

UNITED STATES
RECEIVED
JUN
19
1882
Am'n
LEGATION

PROCÈS-VERBAL DE L'ÉCHANGE DES RATIFICATIONS.

Les soussignés, EDUARDO CALLADO, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur du Brésil en Mission Spéciale en Chine, &c., &c.; et TANG, Commissaire et Trésorier de Sa Majesté l'Empereur de Chine dans la Province de Kiang-sou, &c., &c., s'étant réunis dans le Commissariat Maritime de la Province de Kiang-sou pour procéder à l'échange des ratifications de Sa Majesté l'Empereur du Brésil et de Sa Majesté l'Empereur de Chine sur le traité d'amitié, de commerce et de navigation, conclu entre les deux Empires, à Tientsin, le troisième jour du mois d'Octobre de mil huit cent quatre-vingt-un (correspondant à la date Chinoise onzième jour de la huitième lune de la septième année Kouang-su), après s'être communiqué leurs pleins pouvoirs, les instruments de ces ratifications ont été produits et ayant été trouvés exacts et concordants, l'échange en a été opéré.

En foi de quoi les soussignés ont dressé le présent procès-verbal, qu'ils ont signé et revêtu de leurs cachets, en six exemplaires dont deux en Portugais, deux en Chinois et deux en Français.

Fait à Shanghaï le troisième jour du mois de Juin de mil huit cent quatre-vingt-deux (correspondant à la date Chinoise de dix-huitième jour de la quatrième lune de la huitième année Kouang-su.)

[L.S.] EDUARDO CALLADO. [L.S.] TANG.

TRAITÉ

D'AMITIÉ, DE COMMERCE, ET DE NAVIGATION

ENTRE

L'EMPIRE DU BRÉSIL ET L'EMPIRE DE CHINE.

Sa Majesté l'Empereur du Brésil et Sa Majesté l'Empereur de Chine, sincèrement désireux d'affirmer leurs sentiments d'amitié et de concorde et d'établir des relations d'utilité reciproque entre les deux pays, ont résolu de conclure un Traité d'amitié, de commerce et de navigation, et ont, en conséquence, nommé pour leurs Plénipotentiaires, savoir: Sa Majesté l'Empereur du Brésil, le sieur EDUARDO CALLADO, Gentilhomme de la Maison Impériale, Chevalier de l'Ordre de la Rose et de l'Ordre Impérial Turc de Medjidié, Son Envoyé Extraordinaire et Ministre Plénipotentiaire en mission spéciale en Chine;

Sa Majesté l'Empereur de Chine, LI, Ministre Plénipotentiaire, Commissaire Impérial, Grand Précepteur de l'Héritier Présomptif, prémier Grand Secrétaire d'Etat, Président au Ministere de la Guerre, Gouverneur Général de la province du Tche-li, et Comte Sou-yi du premier rang, avec degré Ki-tou-yu héréditaire;

Lesques, aprés avoir échangé leurs pleins pouvoirs, trouvés en bonne et dûe forme, sont convenus des articles suivants:

ARTICLE I.

Il y aura paix perpétuelle et amitié constante entre l'Empire du Brésil et l'Empire de Chine, ainsi qu' entre leurs sujets respectifs. Ceux-ci pourront se rendre librement dans les Etats respectifs des Hautes Parties Contractantes et y résider. Ils y obtiendront pliene et entière protection pour leurs personnes, leurs familles et leurs propriétés, et jouiront de tous les droits, avantages et privilèges concédés aux sujets de la nation la plus favorisée.

ARTICLE II.

Afin de faciliter à l'avenir les relations amicales entre les deux Etats, Sa Majesté l'Empereur du Brésil pourra, s'il le juge convenable, nommer un Agent Diplomatique près la Cour de Péking, et Sa Majesté l'Empereur de Chine pourra également, s'il le juge convenable, nommer un Agent Diplomatique près la Cour de Rio-de-Janeiro.

Les Agents Diplomatiques de chacune des Hautes Parties Contractantes pourront, avec leurs familles et les personnes de leur suite, résider d'une façon permanente dans la Capitale de l'autre, ou s'y rendre temporairement, suivant le désir des Gouvernements respectifs.

Les Agents Diplomatiques de chacune des Hautes Parties Contractantes jouiront, dans leurs résidences respectives, de toutes les prérogatives, exemptions, immunités et privilèges accordés aux Agents de même catégorie de la nation la plus favorisée.

Article III.

Chacun des Hautes Parties Contractantes pourra nommer, dans les ports et villes de l'autre ouverts au commerce, où ses intérêts l'exigeront, un Consul-Général, des Consuls, Vice-Consuls et Agents Consulaires.

Ceux-ci n'entreront pas en fonctions avant de recevoir l'exéquatur du Gouvernement du pays où ils devront résider. Cet exéquatur sera délivré gratuitement.

Les Consuls ne pourront être choisis parmi les commerçants ; ils devront être de véritables fonctionnaires et il leur sera défendu de faire le commerce.

Dans les ports où il n'aura pas été nommé de Consul, on pourra charger un Consul étranger d'en remplir les fonctions, pourvu que celui-ci ne soit pas un commerçant. Les autorités locales, à défaut de Consul, aviseront au moyen d'assurer aux sujets des deux Etats le bénéfice du présent Traité.

Les Consuls des Hautes Parties Contractantes jouiront de toutes les attributions, exemptions, immunitées et privilèges concédés aux Consuls de la nation la plus favorisée dans chacun des deux Etats.

Les Consuls ne devront pas soutenir les prétentions des commerçants, quand elles seront vexatoires ou offensantes pour les autorités et les habitants de la localité.

Si le Consul se conduit d'une façon illégale, l'exéquatur pourra lui être retiré, suivant l'usage général.

Article IV.

Il sera permis aux sujets Brésiliens de se rendre dans l'intérieur de la Chine et d'y voyager, pourvu qu'ils soient munis d'un passeport délivré, sur la demande du Consul, par le Tao-tai de la Douane. Ce passeport, rédigé dans les deux langues, Portugaise et Chinoise, devra être présenté, sur réquisition des autorités, dans les localités de passage, et sera rendu au retour.

Aucun obstacle ne pourra être mis à la location, par les voyageurs, des hommes, voitures, bateaux, etc., necessaires au transport de leurs bagages.

Si le voyageur se trouve n'avoir pas de passeport en régle ou s'il commet quelque acte illégal, il sera livré au Consul le plus proche pour qu'il y pourvoie. Les autorités locales ne pourront, dans ce cas, qu'arrêter le voyageur, et ne devront ni l'insulter ni lui faire subir de mauvais traitements.

Les sujets Brésiliens pourront se rendre en excursion, sans être munis de passeports, jusqu'à une distance de cent *li* des port ouverts, et pour un temps ne dépassant pas cinq jours.

Les stipulations ci-dessus ne sont pas applicables aux equipages des navires qui seront soumis à terre, aux réglements établis de concert par les Consuls et les autorités locales.

Les sujets Chinois auront la liberté de voyager dans tout le territoire du Brésil, tant qu'ils s'y conduiront paisiblement et ne contreviendront pas aux lois et règlement du pays.

Article V.

Les sujets Brésiliens pourront aller et venir, faire le commerce et faire circuler leurs merchandises dans tous les ports et endroits de la Chine où il est permis aux sujets de toutes les autres nations de commercer.

Les sujets Chinois pourront également aller et venir et faire le commerce dans toutes les localités du Brésil, à l'egal des sujets de toutes les autres nations.

Il est entendu que si, par la suite, une des Hautes Parties Contractantes accorde, de son libre consentement, à une autre nation-quelconque, des advantages soumis à des conditions spéciales, l'autre Partie Contractante ne pourra profiter de ces avantages qu'en accédant à ces mêmes conditions ou à d'autres équivalentes, stipulées d'un commun accord.

Article VI.

Les sujets et navires marchands de l'une des deux Hautes Parties Contractantes, dans les ports ouverts de l'autre, seront soumis aux règlements commerciaux actuellement en vigueur pour toutes les autres nations, ou qui pourront l'être à l'avenir.

Les sujets des deux Etats ne paieront pas de droits d'importation ou d'exportation plus élevés que ceux qui seront payés par les sujets de la nation la plus favorisée.

Article VII.

Les navires de guerre de chacun des deux Etats seront admis dans les ports de l'autre où il est ou sera permis aux navires de guerre des autres de se rendre, et ils y seront traités comme ceux de la nation de plus favorisée.

Ils jouiront de toute facilité pour leurs achats de vivres, de charbon, etc., ainsi que pour leurs approvisionnements d'eau fraîche, et pour les réprarations dont ils auront besoin.

Ces navires n'auront à payer aucune espèce de droits, soit à l'entrée soit à la sortie des ports.

Les commandants des navires de guerre Brésiliens en Chine, et les autorités locales, se traiteront sur le pied d'égalité.

Article VIII.

Les navires marchands de chacune des deux nations pourront fréquenter les ports de l'autre ouverts au commerce, ou qui pourront l'être, et y transporter des marchandises. Ils y seront traités, sous tous les rapports, comme ceux de toutes les autres nations.

Les navires de l'une des Hautes Parties Contractantes, ayant eu des accidents en mer, près des côtes de l'autre, et obligés de chercher un refuge dans un port quelconque, devront recevoir des autorités locales toute l'assistance qu'elles pourront leur donner.

Les marchandises sauvées ne seront soumises à aucun droit, à moins d'être mises en vente.

Ces navires seront traités à l'égal de toutes les autres nations qui se trouveront dans les mêmes circonstances.

Article IX.

Les Brésiliens, en Chine, qui auront quelque sujet de plainte contre des Chinois, devront exposer leurs griefs au Consul Brésilien, qui, après s'être rendu compte de l'affaire, s'efforcera de l'arranger à l'amiable.

De même si des Chinois ont quelque sujet de plainte contre des Brésiliens, en Chine, le Consul Brésilien devra les écouter et s'efforcer d'arriver à un arrangement amiable.

Si le Consul ne peut les concilier, le différend devra être jugé, en toute équité, uniquement par l'autorité dont dépendra l'accusé, sans considérer si l'accusateur est Brésilien ou Chinois.

Article X.

Les sujets Brésiliens, en Chine, qui commettront quelque crime contre des sujets Chinois, seront arrêtés par les autorités consulaires du Brésil et punis, conformément aux lois du Brésil, par les autorités que ces lois détermineront.

Les sujets Chinois coupables d'un acte criminel envers des sujets Brésiliens, en Chine, seront arrêtés et punis par les autorités Chinoises, conformément aux lois Chinoises.

En général, tout procès, civil ou criminel, entre sujets des deux Etats, en Chine, ne pourra être jugé que conformément aux lois et par les autorités de la nation du défendeur ou accusé.

Les Hautes Parties Contractantes ne seront pas tenues au remboursement des sommes volées ou dûes par un sujet de l'un des deux Etats à un sujet de l'autre. Dans les cas de vols, ou procédera de conformité avec les lois du pays auquel appartiendra le coupable, et dans les cas de dettes, les autorités du pays du débiteur feront tout ce qui sera en leur pouvoir pour que le debiteur satisfasse à ses engagements.

Si des sujets Chinois, en Chine, coupables personnellement au complices de quelque crime, se réfugient dans les résidences, les magasins ou les navires de commerce des sujets Brésiliens, les autorités Chinoises en informeront officiellement le Consul, et enverront de agents Chinois pour procéder à l'arrestation, de concert avec les agents Brésiliens. Ou ne pourra ni les recéler ni les protéger.

Article XI.

Toutes les contestations de droits, soit de personne, soit de propriété, qui pourront s'élever entre des sujets Brésiliens, en Chine, relèveront de la juridiction des autorités Brésiliennes. Les procès entre des sujets Brésiliens et des étrangers, en Chine, relèveront uniquement des autorités de leurs pays.

Si quelque Chinois se trouve mêlé à ces procès, on devra agir conformément aux deux articles précédents.

Si, dans la suite, le Gouvernement Chinois juge convenable d'établir, d'accord avec les puissances étrangères, un Code unique pour règler la matière de juridiction des sujets étrangers en Chine, le Brésil devra aussi prendre part à cet accord.

Article XII.

Dans le cas où des gens, quelle que soit leur condition, du bord des navires de l'une des Hautes Parties Contractantes, dans une port ouvert de l'autre, descendant à terre, y causeraient du trouble, il seraient punis conformément aux usages suivis, en pareil cas, dans chacun des deux pays.

Quant aux procès pour cause d'abordages entre des bâtiments des deux pays, dans les eaux de la Chine, ils seront jugés par les autorités du défendeur, conformément aux règlements en vigueur sur les abordages de navires dans tous les pays.

Si le demandeur ne se conforme pas à la sentence, les autorités dont il dépendra pourront s'adresser officiellement aux autorités dont dépendra le defendeur pour qu'elles recommencent le procès et prononcent definitivement, en toute équité.

Article XIII.

Les sujets Chinois, au Brésil, auront libre accès aux cours de justice du pays, pour la défense de leurs justes droits.

Ils jouiront, sous ce rapport, des mêmes droits et privilèges que les Brésiliens et les sujets de la nation la plus favorisée.

Article XIV.

Les Hautes Parties Contractantes sont convenues d'interdire aux sujets de chacune d'elles l'importation de l'opium dans les ports de l'autre ouverts au commerce, et le transport de l'opium d'un port à l'autre de l'autre pays, soit pour leur propre compte, soit pour le compte de sujets ou citoyens de toute autre nation, aussi bien dans les navires appartenant aux sujets des deux Haute Parties Contractantes, que dans des navires appartenant à sujets ou citoyens d'une tierce nation.

Il ne sera pas permis non plus aux sujets de l'une des Hautes Parties Contractantes de se livrer au commerce de l'opium, dans les ports de l'autre ouverts au commerce.

Le clause de la nation la plus favorisée ne pourra être invoquée contre les dispositions de cet article.

Article XV.

Le présent Traité a été redigé dans les trois langues, Portugaise, Chinoise, et Française. Quatre exemplaires en ont été préparés dans chacune de ces langues, les traductions ayant été comparées, trouvées de tous points concordantes, et dépourvues de toute erreur.

Le texte Portugais fera foi au Brésil, et le texte Chinois en Chine. En cas de divergence dans l'interprétation, le texte Français décidera.

Article XVI.

Si, par le suite, les Hautes Parties Contractantes désirent apporter quelques modifications aux stipulations de ce Traité, elles auront la liberté, aprés un laps de temps de dix années, à dater du jour de l'échange des ratifications, d'ouvrir des negociations dans ce but.

La notification officielle des notifications qu'on désirera proposer sera toujours faite six mois à l'avance.

Si pareille notification n'est point faite, le Traité restera en vigueur.

Article XVII.

La présent Traité sera ratifié par Sa Majesté l'Empereur du Brésil et par Sa Majesté l'Empereur de Chine.

L'échange des ratifications se fera, dans le plus court délai possible, à Chang-hai ou à Tien-tsin ; après quoi, le Traité sera imprimé et publié pour que les fonctionnaires et sujets des deux Empires en aient plaine connaisance et s'y soumettent.

En foi de quoi, les Plénipetentiaires respectifs ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Tien-tsin, le troisième jour du mois d'Octobre de l'an de Grâce mil huit cent quatre-vingt-un, correspondant au onzième jour de la huitième lune de la septiéme année Kouang-siu.

[L. S.] (Signé) E. CALLADO.

[L. S.] (Signé) LI.

Acc

File

No. 128. Two Enclosures.

Legation of the United States.

Peking, June 20th, 1882.

DEPARTMENT OF STATE
AUG 7 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject

The "Missionary question".

Synopsis.

Refers to previous despatch No. 99. inclosure 4. and forwards a copy of a despatch from Mr. Frye covering complaints of Canton missionaries of certain disabilities to which they are subjected. Covers also copy of Mr. Holcombe's response of which approval is requested.

No. 128. Two Enclosures.

Legation of the United States.

Peking, June 20th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:—

I have the honor to enclose herewith a copy of a despatch No. 128. which has been received from Mr. Gideon Nye, Acting Vice Consul of the United States at Canton. From his hurricane of words the Department will, perhaps, be able to gather that Mr. Nye submitted a recent despatch of mine upon the "missionary question" (See despatch No. 99. enclosure

inclosure 4.) to the American missionaries at Canton who, while expressing satisfaction with its general tenor, & complained of certain & disabilities to which they are subjected both as regards Romish missionaries and their own Protestant co-laborers in Central and Northern China, and asked for copies of some local proclamations which have recently been issued by the Chinese Authorities.

2/128. I inclose a copy of my response in which I have explained at length the matters of which they complain, and for it I beg

the

the approval of the
Department.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

Enclosures.

1. Mr. Frye to Mr. Holcombe
No. 26. June 5th, 1882.
2. Mr. Holcombe in response.
No. 10. June 19th, 1882.

Despatch No. 128.
Enclosure 1.

Mr. Nye to Mr. Holcombe.

No. 26. Carson. June 5th, 1882.

Sir;

I beg leave to revert to the intimation that I had the honour to convey in my No. 25, on the 26th ult°, of certain presently impending issues arising from the zealous labours of our citizens who are Missionaries, to which your ample review then under reply was opportunely pertinent: In view of which, I invited a meeting of the members of the two bodies here resident and present in this city, —

which

which was attended by
all, save one absent at
Keen Chow, the number
being eight persons and
all the heads of families.
Convened by the circular-
letter of the 26th ult°, which
I enclose, the meeting was on
the 29th ; and I have the
honour to report, as the
result of an hour's dis-
cussion, complete unanim-
ity in the sense of my
invitation, as interpreting
the rationale of the position
an injunction to prudence
in intercourse with the
Authorities and people of
the

the interior. But, whilst acquiescence in my view was emphatic, that the fruits of past perseverance in conciliation, must not be lost by intemperate zeal in the future, there was just complaint of their disabilities of position relatively to that of the Roman Catholic Missionaries, to whom special privileges of residence in the interior were accorded in the Chinese text of the Treaty with France of 1858; but not in the French text whereby we should have been placed on an equality. And as to whether

er

or certain degrees of privil-
ege are enjoyed at Stations
of Protestant Missions in
the Metropolitan and some
other of the Provinces nearer
than this to the seat of Govern-
ment, by reason of proximity
to the Legations or of a more
open toleration of Romish
claims, our Countrymen here
desire to be informed; and
will deem a special favour
your forwarding copies of the
proclamations according privi-
leges of owning property and
actual residence at Soochow
and other places in the Central
Provinces and at several places

in

in the Northern Provinces.

In illustration of the broad contrast thereto presented, here in the South, and of the practical outcome of the disabilities adverted to, I have the honour to refer to the enclosure N°2; being an original circular notification of the Sub-Prefect of Veenchow district, issued and spread broadcast through that city. You will not fail to observe that it conveys a warning to the owners of property, intended to forestall the acquisition of property for Religious purposes; thus

thus working a virtual infraction of Treaty-rights: Whilst, practically, it has already vitiated an actual contract of lease of property; and in another instance, of mere suspicion that a property owner was disposed to entertain proposals to lease his premises for a chapel, he was subjected to the cruelty of 100 blows. Such is the position at Leen chow; which, in respect to the people themselves, has presented the past two years and still presents, an eminently inviting field to our Missionaries.

Secondly

Secondly, I beg to hand you letter No. 3. of Mr. Consular Agent Williams, in Swatow, with its enclosures, presenting the case of Rev.d W. K. Mc. Kibbon, as particularly set forth in his own letter of May 26th. 1882. Trusting that the higher authorities will, at least, compel uniformity of treatment for our Protestant Missionaries in the North, Middle, or South, if their sense of justice does not prompt them to perfect accordance of equality with those of the Romish faith, I have the

honour

honour to await your instructions with great interest.

I am &c &c

(Signed) Gideon Nye.

U. S. Vice Consul in Charge.

Note. Under correction of an error of Dr. Barrow, by order of the Consul General, I sign (since the 29th ult.o) by my proper tittle of Vice Consul. (Signed) G.N.

Enclosures:-

1. Circular letter to Resident Missionaries.
2. Circular Notification of Sub Prefect of Leen Chow district.
3. Cover of letter No. 3. of Consular Agent Williams. Swatow, with its Enclosures.-

No. 26.

Canton, 26th May, 1882.

Reverend Sirs:

In view of some recent indications, as well as of the importance of the subject, I deem it well to bring to your early notice the comprehensive view of the relations in which all American citizens, alike, stand toward the Authorities and people of China in respect to the question of Residence in the interior, presented in a despatch from the Legation received on the 24th instant.

The

The Chargé d'Affaires has therein availed of the occasion of a reply to the enquiry of a Sub officer of this jurisdiction. — "Whether "any Concession has been grant- "ed by the Officials of the Chinese "Government by virtue of which "Missionaries are allowed to "reside permanently in the "interior, that is to say — "outside of the Treaty limits "at the Open ports"? — to state the position of that question in its several aspects, as defined by Treaty and as acquired by sufferance or tacit acquiescence, and

con-

consequent inferential in-
terpretation of rights.

And, as I consider
that the rationale of the
question, as thus conveyed,
has the gravity of an in-
junction to prudence; as shew-
ing that the footing on which
we stand in the interior is
in such degree indefinite
as to impose a course of
caution and conciliation,
lest the position attained
by the prudent perseverance
of the past be imperilled
or rendered so far precarious
as to neutralize commend-
able zeal in the future:

I

I beg to invite your attendance at this Office on Monday, P.M. next at 5 O'clock, to consider the whole subject.

I am &c—

(Signed) Gideon Nye.

Despatch No. 128.
Enclosure 2.

Mr. Holcombe to Mr. Nye.

No. 10. June, 19th, 1882.

Sir; -

I have the honour to acknowledge the receipt of your despatch number 26 of the 5th instant.

I am glad to know that my despatch number 4 of May, 6th in which the general question of missionary rights in China was considered appears to have met with approval at the hands of the American missionaries resident at Canton.

Your

You inform me however that complaint was made that Protestant missionaries in the South labour under certain disabilities, first, as regards Romish missionaries who are accorded special privileges of residence in the interior in the Chinese text of the French treaty of 1858; and second, in that their Protestant brethren in the Northern Provinces enjoy higher degrees of privilege because of their proximity to the Legations. And you ask me to forward

copies

copies of proclamations
issued recently at Soochow
and at several other points
in Central and Northern
China.

In regard to the first
point, the missionaries of
Canton are mistaken in
supposing that special
privileges of interior residence
are granted to Romish mission-
aries by virtue of a clause found
in the Chinese but not in the
French text of the French treaty
of 1858. It is true that, in
the Chinese text of the 6th
Article of the French treaty of
1860, the following sentence
occurs:-

occurs:-

"It is in addition per-
"mitted to French missionaries
"to rent and purchase land
"in all the Provinces, and to
"erect buildings thereon at
"pleasure", which sentence is
not to be found in the French
text of the Article. But it
is a notorious fact that this
sentence was fraudulently
interpolated by a Jesuit priest
and, if I am correctly informed,
the French Government has
formally declared to that of
China that it did not regard
this part of the Article in
question as authentic and would

not

not claim the benifit of it.

The other portion of the same article has however be utilized to the great advantage of Romish missionaries in China. In it too there is curiously enough an important discrepancy between the two texts. The Chinese declares that the Government of China shall pay their owners for property of which Christians were despoiled in the persecutions in the reigns of Yung Cheng and Kien Lung. The French text, which is made the authoritative version

version, declares that this property shall be restored to its original owners, i. e. the Romish Missionaries. Naturally enough restoration was preferred to payment, and by the operations of this Article valuable properties have been secured to the propogators of that faith in every province and in nearly every important city in the Empire, and are to-day held and used by them. It is also true that in the past the Diplomatic and Consular Agents of France in China have

pressed

pressed the demands of
Romish missionaries upon
the Chinese Authorities in
a manner and to an extent
which was not warranted by
a sound policy either as re-
gards the general relations
of the two Governments or
the best interests of the
missionary cause. And
of course the Representatives
of Protestant Powers have
not been allowed or disposed
to follow the example set
before them in this respect.

Aside from special
privileges acquired as in-
dicated above there are

none

more which are not open to Protestant missionaries equally with those of the Romish faith.

As to the second point, it is doubtless true that greater freedom of action is allowed to Christian effort among the Chinese in Central and Northern China than in the South. And this is probably due partly to proximity to the Legations and Central Government by means of which illegal obstacles and hindrances are with greater facility removed, and, even more, as

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I think, to the milder and more docile disposition of the Northern Chinese.

For the removal of such disabilities nothing but time, patience and zeal largely mingled with discretion will serve.

I have no facilities for securing copies of the proclamations referred to which are not equally open to the missionaries at Canton. A letter addressed by any one of them to their co-labourers at Soochow or other points where such proclamations have been issued would

would doubtless serve the purpose. An excellent proclamation was issued by the Chinese Authorities at Foochow at the request of Mr. Consul De Lano - June 30th - 1875. You could secure a copy of this by application to Mr. Consul Wingate.

The cases to which you refer at Lien Chow and Tai pu hsien will receive my attention at an early moment.

I am &c —

(Signed)

Chester Holcombe.

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File

No. 129.

Legation of the United States.

Peking, June 20th, 1882.

DEPARTMENT OF STATE
AUG 7 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Receipt of Department instructions.

Synopsis.

Instructions numbers 160. and 161. and circular of April 12th ultimo have been received.

No. 129.

Legation of the United States.

Peking, June 20th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:—

I have the honor to acknowledge the receipt of department instructions numbers 160. and 161. and "Separate" circular of April 12th, making certain inquiries at the instance of the Secretary of the Treasury.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Copy to Treasury Dept in circular Aug 8. 1882 Crifler

Mr Adee

No. 130.

DEPARTMENT OF STATE AUG 7 1882 RECEIVED

Legation of the United States.
Peking, June 21st, 1882.

Chester Holcombe to the Secretary of State.

Subject.

Chinese currency statistics.

Synopsis.

Replies to the Department circular of April 12th. No coinage, no legal tender issues, and no records kept of export, import, production or amount on hand and in circulation of precious metals.

No. 130.

Legation of the United States.

Peking, June 21st, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:—

In response to Department circular of April 12th ultimo making certain inquiries in regard to Chinese currency at the instance of the Secretary of the Treasury, I have the honor to report that there are no available data upon which to answer any of the questions propounded.

There is no coinage of either gold or silver in China.

There

There is no record kept of either the import or export of either gold or silver coin or bullion, or of the gold or silver produced by the mines. There is also no record kept or estimate made of the amount of gold or silver in the Treasury, in banks, or in circulation. And as there is neither coinage nor legal tender issues in China, there have naturally been no laws passed affecting such coinage or issues during the year 1881.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

No. 131. One Enclosure.

DEPARTMENT OF STATE
AUG 7 1882
RECEIVED

Legation of the United States.

Peking, June 21st, 1882.

Chester Holcombe to the Secretary of State.

Subject.

Cost of telegram.

Synopsis.

Transmits statement of cost of telegram of June 15th, with voucher. Have drawn for the amount.

No. 131. One Enclosure.

Legation of the United States.

Peking, June 21st, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have the honor to enclose a statement of the cost of my telegram of June 15th with 4 vouchers, for which I have drawn upon the Department in the usual course. 1/131.

A duplicate statement will follow by the next steamer.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe.

4

Enclosure.

Enclosure.

1. Statement of cost of telegram of June 15th, 1882.

No. 132. One Enclosure.



Legation of the United States.
Peking, June 24th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Brazilian treaty with China.

Synopsis.

Refers to despatch number 127.
and forwards an English
version of this treaty, made
from the French text.

No. 132. One Enclosure.

Legation of the United States.

Peking, June 24th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

Referring to my despatch number 127. of the 19th instant, I have now the honor to enclose 1/13 herewith an English translation, from the French text, of the treaty recently concluded between China and Brazil.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosures.

1. English translation of Brazilian treaty with China.

Despatch No. 132,
Enclosure.

Brazil.

Treaty of Amity, Commerce, and Navigation between Brazil and China.

Treaty of Amity, Commerce, and Navigation between the Empire of Brazil and the Empire of China.

His Majesty the Emperor of Brazil and His Majesty the Emperor of China — being sincerely desirous to assert their friendship, and to establish relations of reciprocal benefit between the two countries, have determined to conclude a treaty of amity, commerce,

commerce, and navigation and for this purpose, have appointed as their Plenipotentiaries, that is to say:-

His Majesty the Emperor of Brazil - His Excellency Eduardo Callado, &c., &c., &c., &c.; -

and His Majesty the Emperor of China Li Hung Chang, &c., &c., &c., &c. -

Who, after having exchanged their full powers and having found them in due and proper form, have agreed upon and determined the following articles.

Article I.

There shall be henceforward perpetual

perpetual peace and friendship between the Governments of Brazil and China, and between their respective Subjects. The subjects of either Government shall be at liberty of their own free will and accord to proceed to and reside within the territory of the other, where they shall enjoy full and entire protection for their persons and property, and shall be accorded all the rights, privileges, immunities and exemptions which are accorded to the citizens or subjects of the most favoured nation.

Article -

Article II.

In order to facilitate friendly intercourse between the two countries, His Majesty the Emperor of Brazil may appoint a Diplomatic agent to reside at the court of Peking, and His Majesty the Emperor of China may in like manner appoint a Diplomatic Agent to reside at the Court of Rio-de-Janeiro. And their respective Diplomatic Agents may visit the capitals to which they are accredited, with their families and suites, either for the purpose of permanent residence

ence or a temporary visit, at the option of their respective Governments. The Diplomatic Agents shall, at their respective residences, enjoy all the privileges and immunities of every sort and kind which are accorded to the Representatives of the most favoured nation.

Article III.

The two Governments may, if it suit their convenience, each appoint Consuls General, Consuls, Vice Consuls, and Consular Agents, at the ports within the territory of the other Government which

are

are open to foreign trade. Officials of this class shall not enter upon their duties until they have received the exequatur from the Government of the Country where they are appointed to reside. The exequatur shall be given free of charge. Consular officers thus appointed must be actual officials, and merchants cannot be appointed to such duties, nor shall Consular Officers be allowed to engage in mercantile pursuits. At any port to which a Consul has not been appointed, the Consular

sular Officer of another Power may be requested to perform the duties, provided such Officer be not a merchant. In cases where there is no Consul the local Authorities shall do their best to secure to the subjects of both countries the provisions of this Treaty.

The Consular Officers of either Government shall enjoy all the privileges and immunities of every sort and kind which are accorded to the Consular Officers of the most favoured nation.

Consular

Consular officers shall not sustain the claims of merchants when these are vexatious or offensive to the authorities or inhabitants of the locality. If any Consular Officer administers his office in an illegal manner his Exequatur may be recalled in accordance with the provisions of International Law.

Article IV.

Brazilian subjects shall be authorized to travel within the interior of China under passports issued by the Customs' Taotai at the request of the Consul.

Passports

Passports shall be made out in the Portuguese and Chinese languages, and must be produced for examination, if called for, in the localities passed through. They shall be returned on the expiry of the journey. No opposition will be offered to the bearer of such passport hiring persons, carriages, boats, etc., for the transportation of his baggage. If the passport be irregular, or if the holder of it commit any offence against the law on his journey, he shall be handed over to the nearest

Consul

Consul for punishment, but he shall not be subjected to any insult or ill-usage in excess of necessary restraint. No passports need be taken out for persons traveling in the interior to a distance not exceeding 100 li from a port open to foreign trade, and for a period not exceeding five days.

Ships' crews are not included within the provisions of this Article for the due restraint of whom when on shore suitable regulations will be drawn up by the

Consul

Consul and the local authorities.

Chinese subjects within the territory of Brazil who conduct themselves with propriety and do not violate the statutes or regulations of Brazil shall be allowed to travel to all parts of the Empire.

Article V.

Brazilian subjects shall be permitted to frequent all the ports in China open to the subjects or citizens of other Powers, to transport merchandise thither and to engage in trade.

Chinese subjects shall be

permitted

permitted to frequent all the ports and places in Brazil, to which the citizens or subjects of other Powers are allowed to go, and to transport merchandise thither and to Engage in trade.

And if hereafter either of the High Contracting Powers shall grant any privileges, rights, or advantages to other Governments, such privileges, rights, or advantages shall inure to the benefit of the other High Contracting Power only upon its acceptance of and compliance with all such conditions, stipulations, or concpions, under which such privileges, rights,

or

or advantages, have been granted to the other Government concerned.

Article VI.

Merchants and merchant ships of either nation in the ports of the other nation which are open to foreign trade shall comply with all the earlier and later treaty stipulations and rules for the regulation of trade made between that nation and other foreign Powers; but they can in no case be called upon to pay other or higher import or export duties or dues than those required of the citizens

citizens or subjects of the most favoured nation.

Article VII.

The ships of war of each country respectively shall be at liberty to visit all the ports within the territories of the other, to which the ships of war of the most favoured nation are permitted to come. They shall enjoy every facility and meet with no obstacle in purchasing provisions, coal, procuring water, and making necessary repairs.

Such ships either upon entering or leaving port — shall not be liable to the payment

payment of duties of any kind.

The officers of Brazilian ships of war shall deal with the Chinese local authorities upon terms of equality.

Article VIII.

The merchant vessels of either country shall be permitted to engage in commerce at all the ports of the other country which are open to foreign trade, or which may be opened to foreign trade. They shall be accorded the same treatment which is granted to the merchant vessels of other nations.

nations. If the merchant vessels of either Power are compelled from any accident to seek a refuge in the ports of the other Power, the local authorities of the place shall render all the assistance they can. Any portion of the cargo which may be saved will not be liable to duties unless it be sold.

Wrecked merchant vessels of either Power within the territory of the other, will be treated in the same manner as the vessels of other nations under similar circumstances.

Article.

Article IX.

Brazilian subjects in China having reason to complain of a Chinese shall first proceed to their Consular Officer and state to him their grievance. The Consul will investigate the case and endeavour to arrange it amicably. In like manner if a Chinese have reason to complain of a Brazilian subject in China, the Consul shall listen to his complaint and endeavour to come to a friendly arrangement. In cases where an amicable composition of complaints

is

is impossible, whether the complaintant be a Brazilian or a Chinese subject, the case shall be tried and decided according to justice by the proper officer of the defendant's nationality.

Article X.

Brazilian subjects in China who may commit any crime against Chinese subjects shall be arrested and punished according to the laws of Brazil by the Brazilian Consular Officers.

Chinese subjects guilty

of

of a criminal action towards Brazilian subjects in China shall be arrested and punished by the Chinese authorities according to Chinese law.

In general all civil or criminal actions in which the subjects of the two Powers are concerned shall be heard and determined by the proper officer of the defendant's nationality, according to the laws of that nation.

The High Contracting Parties will not be held responsible for the repayment of monies stolen or debts due

due from the subjects of one country to those of the other. In cases of theft the guilty person will be dealt with according to the laws of his country, and in cases of debts due the authorities concerned will do their utmost to compel the debtor to fulfil his obligations.

If Chinese subjects in China, accused as principals or accessories of offences against law, seek refuge in the residences, warehouses, or merchant vessels of Brazilian subjects, the

the Chinese authorities shall officially inform the Consul, and shall send constables to arrest the criminals in concert with the Brazilian agents. Such criminals shall not be harboured or protected.

Article XI.

All questions in regard to rights, whether of person or property, arising between Brazilian subjects in China shall be subject to the jurisdiction of the Brazilian authorities. Similar questions arising between Brazilians and the citizens or subjects of

other

other Powers in China shall be dealt with by the Consular Officers of the two Powers concerned. In cases where Chinese subjects are parties to the case at issue they shall be dealt with in accordance with the stipulations of the foregoing two Articles.

Should the Government of China hereafter conclude a code of international legal procedure with the Governments of the several Powers, the Government of Brazil will conform to it.

Article

Article XII.

In case the crews of merchant ships of either Government while in the ports of the other create disturbances on shore, they shall be dealt with according to the statutes of their Governments respectively.

In cases of collision between Brazilian ships and Chinese craft, either on the coast of China or within the open ports, which result in litigation, such cases shall be tried and determined by the proper officer of the defendant's nationality in accordance with the Regulations

provided

other Powers in China shall be dealt with by the Consular Officers of the two Powers concerned. In cases where a Chinese subject is parties to the case at issue they shall be dealt with in accordance with the stipulations of the foregoing two Articles.

Should the Government of China hereafter conclude a code of international legal procedure with the Governments of the several Powers, the Government of Brazil will conform to it.

Article

Article XII.

In case the crews of merchant ships of either Government while in the ports of the other create disturbances on shore, they shall be dealt with according to the statutes of their Governments respectively.

In cases of collision between Brazilian ships and Chinese craft, either on the coast of China or within the open ports, which result in litigation, such cases shall be tried and determined by the proper officer of the defendant's nationality in accordance with the Regulations

provided

provided by the Foreign Powers for cases of collision. If the judgement rendered fail to give satisfaction the plaintiff's officer may apply for a new trial to the officer who decided the case in order that it may be justly settled.

Article XIII.

Chinese subjects in Brazil shall have free access to the Courts of Brazil for the protection of their rights; they shall enjoy in this respect, without discrimination, the same rights and privileges as Brazilian subjects and as

as the citizens or subjects of the most favoured nation.

Article XIV.

The Governments of Brazil and of China mutually agree to prohibit their subjects from importing Opium into the open ports of the other, or from transporting it from one open port to another open port of the other, whether for their own account or for the citizens or subjects of any other nation; this prohibition shall also extend to the transportation of opium in the vessels owned by the subjects of either

Power

Power, as well as in vessels owned by the subjects of other Powers. Neither will the subjects of either Power be permitted to trade in Opium at any of the open ports of the other. The benefit of the favoured nation clause shall not be appealed to as against the provisions of this article.

Article XV.

The foregoing Treaty is written in the Portuguese, Chinese, and French languages, being made in four copies of each of even sense and signification throughout.

While

While each Government may hereafter make use of its own text, in case of a difference of interpretation, the French text shall be held and considered to be correct.

Article XVI.

If in future the High Contracting Parties desire a modification of any stipulation contained in this Treaty they shall be at liberty after the lapse of ten years from the date of the Exchange of the ratifications of this Treaty to open negotiations to that effect. Six months before the expiration

of

of the ten years either of the Contracting Powers may notify the other that modifications of the Treaty are desired and in what these consist. If no such notification be given, this Treaty will remain in force.

Article XVII.

This Treaty shall be ratified by His Majesty the Emperor of Brazil, and His Majesty the Emperor of China. The Exchange of ratifications shall be effected either at Shanghai or Tientsin, with the least possible

possible delay, after which the Treaty shall be promulgated for the information and guidance of the officers and people of the two Governments.

In faith whereof the respective Plenipotentiaries have signed and sealed the present Treaty at Tientsin this thirteenth day of October in the Year of our Lord Eighteen hundred and Eighty one; and the 11th day, 8th moon, 7th year of Kuangsü.

Thank Amin for this

Rec'd Aug 10 1882
Ans

No. 133. Two Enclosures.



Legation of the United States.
Peking, June 26th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Letters from the King of Corea to the President of the United States.

Synopsis.

The Foreign Office having, at Mr. Holcombe's suggestion furnished him informally with copies of two letters, careful translations are enclosed herein, in order to avoid any difficulty which the Department might find in obtaining reliable translations in Washington.



No. 133. Two Enclosures.

Legation of the United States.

Peking, June 26th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

Some days since the Ministers of the Foreign Office informed me, in conversation, that the King of Corea had given to Commodore Shufeldt, during his recent negotiations in that country, two letters written by himself and addressed to the President. At my suggestion copies of the Chinese, or original, text of these letters have been furnished me informally

unofficially, and I have the &
1/133. honor to enclose translations
2/133. of them herewith.

I made this suggestion because I knew that Commodore Shufeldt had no interpreter & while in Corea, and it occurred to me that the Department, and the President, might be seriously embarrassed by the difficulty of securing reliable translations of these letters in Washington.

The enclosed & translations have been most carefully made and may be depended upon as correct in every particular.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

Enclosures.

Enclosures.

1. The King of Loma to The President of the United States.
   May 15th 1882.
2. do. do. do. do.
   May — 1882.

Despatch No. 133.
Enclosure 1.

His Majesty the King of Chosen herewith makes a communication.

Chosen has been from ancient times a State tributary to China. Yet hitherto full sovereignty has been exercised by the Kings of Chosen in all matters of internal administration and foreign relations. Chosen and the United States in establishing now by mutual consent a treaty are dealing with each other upon a basis of equality. The King of Chosen distinctly pledges his own sovereign

Sovereign powers for the complete enforcement in good faith of all the stipulations of the treaty in accordance with international law.

As regards the various duties which devolve upon Chosen as a tributary State to China, with these the United States has no concern whatever.

Having appointed Envoys to negotiate a treaty it appears to be my duty, in addition thereto, to make this preliminary declaration.

So.

To the,
President of the United States.
May, 15th, 1882.

Despatch No. 133.
Enclosure 2.

The King of Chosen to

The President of the United States.

Having heard that the administration of Your Government was just and upright, We have long desired to establish friendly relations with You but to Our deep regret have had no opportunity to do so.

Having now received the Envoy whom You have sent to Us for the purpose of negotiating a treaty We have appointed Shen of the Board of Foreign Affairs as Our Minister, and

Chin.

Chin, also of the Board of Foreign Affairs as his Assistant to discuss the business with him. They will be able to sign the treaty at an early day which can be carried back and presented to You by Commodore Shufeldt.

We beg that it be ratified quickly and an Envoy sent hither to exchange the ratifications in order to enable Our two Governments and peoples to mutually enjoy the benefits of the cordial friendship which shall flow from it, which is Our sincere desire.

desire.

With compliments and salutations.

May. 1882.

Received Aug 10 1882 Order

Ap

No. 134. Two Enclosures.

Legation of the United States.

Peking, June 27th 1882.

Chester Holcombe to the Secretary of State.

Subject.

The "Le Cho case."

Synopsis.

Refers to despatch number 125. Prince Kung declares that the Sub Prefect has been permanently removed from office; the man Le genuinely punished; and that the action of the Governor has been sincere. Mr. Holcombe has expressed his satisfaction with this treatment of the case.

DEPARTMENT OF STATE AUG 7 1882 RECEIVED

No. 134. Two Enclosures.

Legation of the United States.

Peking, June 27th, 1882.

Honorable F. T. Frelinghuysen,

Secretary of State.

Sir:

In my despatch number 125, in the "Le Cho Case", I reported to the Department the removal of the Sub Prefect by the Governor of Shantung, and enclosed a copy of a communication which had been addressed to Prince Kung asking for more explicit statements in regard to the nature of the action taken, and, in particular, whether the removal

removal of the Magistrate & meant his removal permanently from office, or his transfer to another post.

I have now the honor
1/134. to enclose a translation of H. I. H. response. It declares explicitly that the Sub Prefect has been removed permanently from office, and not transfered; that the man Li has been & again, and genuinely, punished; and that "in the Governor's "action in the premises, there "has not been the least trickery "or evasion."

2/134. I have addressed H. I. H. to day thanking him for his frank and straight-forward

forward answer, and adding that, in my opinion, you will now consider this business as satisfactorily terminated.

I beg your confirmation of my action.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

Enclosures.

1. Prince King to Lur. Holcombe 61/1882. June 25th/4, 1882.
2. Lur. Holcombe in response. 65/1882. June 27th/4, 1882.



Despatch No. 134.
Enclosure 1.

6/1882.

Prince Kung to Mr. Holcombe.

I have had the honour to receive your despatch of the 15th instant in reference to the action taken by the Governor of Shantung in the Tê cho business. In it you say that your Government will learn with much satisfaction that the Governor has removed the Sub prefect and appointed another in his place. You state that it is not quite clear whether the Sub Prefect has been removed from office, or removed

and

and transferred to another post, and you request an explicit statement upon this point, Ans.

In the Chinese Official regulations, if the phrases "degraded one step", "promoted one step", "given an acting appointment" are used, it means of course that the official concerned has been transferred to another post. But if the phrase "recalled and transferred" is used then always the word "recalled" means removed from office, and the word "transferred" means withdrawn to the Provincial Capital.

From

From this you will see that the Sub Prefect has been removed from Office, and not transferred to another post. When an Official is guilty of a fault he is punished. When he is deserving he is rewarded. The authority of the Governors of the out lying provinces in directing the employment of subordinate officials cannot be limited to a moment of time or a single affair. It concerns the entire career of the officers concerned.

In regard to the punishment of the man Li by the Sub Prefect, your Deputies regarded

regarded it as a farce. The declaration made in his later despatch by the Governor of Shantung that this person has been punished and placed in the cangue, refers, beyond a doubt, to a further punishment inflicted under the Governor's orders. Of the action of the Governor in the two points discussed above it can be most positively declared that in it there has been not the least trickery or evasion.

In regard to the Kiu Shui pu case, since there has been no formal complaint entered by any person, it would

would not be well, in default of such action, to make arrests and examinations. But I will communicate to you the result of the Governor's investigation when it shall have been reported to me.-

Hon. Chester Holcombe

- Sec - Sec - Sec - Sec -

Peking, June, 25th, 1882.

Despatch No. 134.
Enclosure 2.

65/1882.

Mr. Holcombe to Prince Kung.

June, 24th, 1882.

Your Imperial Highness :-

I have received with great satisfaction the reply of Your Imperial Highness, dated June 25th to my remarks of the 15th inst! in regard to the action taken by the Governor of Shantung in the Tê Cho business. The explanations of Your Imperial Highness are clear and explicit, and I beg to express my thanks for them.

I have already communicated the action taken by the

the Governor to the Secretary of State by telegram, and, I doubt not, that my Government will consider this unfortunate business as satisfactorily closed.

I shall await with anxiety the report upon the Kii Shui p'u case.

In the meantime,

I have &c—

(Signed) Chester Holcombe.

No. 135. One Enclosure.

DEPARTMENT OF STATE
AUG 7 1882
RECEIVED

Legation of the United States.

Peking, June 27th U. 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Cost of telegram of June 15th U.

Synopsis.

Refers to despatch number 131. and incloses a duplicate statement.

No. 135. One Enclosure.

Legation of the United States.

Peking, June 27th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

Referring to my despatch number 131, I have the honor to forward herewith a duplicate statement of the cost of my telegram of the 15th instant. 1/135.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Duplicate statement, cost of telegram of June 15th, 1882.

File

Ack
Mr Williams

No. 136. Two Enclosures.



Legation of the United States.
Peking, June 29th, 1882.

Chester Holcombe to
the Secretary of State.

Subject.

Chinanfu missionary case.

Synopsis.

Refers to despatch number 136. and encloses copies of further correspondence with Prince & King. Local authorities still endeavoring to postpone action. Hope by pressing case earnestly on present line to secure an early settlement.

No. 136. Two Enclosures.

Legation of the United States.
Peking, June 29th, 1882.

Honorable F. T. Frelinghuysen.
Secretary of State.

Sir:—

In my despatch No. 126, in the "chi nan fu missionary case", the Department was furnished with a translation of a despatch from Prince Kung reporting that the Governor of Shantung was still anxious to settle the business by an exchange of properties, and requesting me to instruct Messrs Murray and Hunter to consult with Chinese deputies with a view to that result. A copy of my response was enclosed in which the main features of the case were reviewed at length. I declined

declined to issue the instructions as requested and reiterated my demand for the restoration of the original property to the missionaries.

I have now the honor to enclose

1/136 a translation of Prince Kung's rejoinder to that despatch. It declares in substance that the original premises cannot be restored to the missionaries; that they have no right to be in Chi nan fu; that "the literati were not without reasons for "molesting them"; and that "they expect "the local authorities to keep order by force" which cannot be done.

I have responded to this despatch

2/136 as per copy enclosed, to which I beg your careful attention.

To the last point I have answered frankly that the Government of the United States, as well as the missionaries expect

(and)

and will insist that the local authorities preserve order by force, if the employment of force be necessary; that under any and every conceivable circumstance our people have the manifest right to thorough protection from mob violence, and that a failure to accord this would inevitably give rise to very serious questions between the United States and China.

I have asked an explanation of the assertion that the literati had reasons for mobbing the missionaries and have stated that this sentence must create a feeling of surprise and apprehension in your mind.

To the assertion that the missionaries have no right in Chi nan fu, I have simply responded that since for twenty years missionaries of every nationality have been allowed to establish themselves in every province in the Empire, it is late in the day

day for such an assertion; that the Prince must not make one law for Romish and another for Protestant missionaries, that in particular, there are two large establishments of Catholics in Chi nan fu, and that, this being the case, there can be no reasonable objection to the presence of our people there.

I have declined to issue instructions to Messrs Murray and Hunter to consult further with deputies about an exchange of properties, but have added that, if the local authorities had other premises to propose and the missionaries chose to accept them, no objection would be raised by me. And the Prince has been again urged to issue orders for the immediate and satisfactory settlement of the case.

The Department may rest assured that there has not been a day during the past eleven months when this case could not

have

have been settled with entire ease by the local authorities, and to the entire satisfaction of the missionaries interested. The Chinese have successfully trifled with it for a year, and their anxiety to induce me to instruct the missionaries to consult with them is in order that they may trifle with it for a year to come. Proof of this is found in the fact that, after this request had been made, the missionaries, being about to leave Chi nan fu for the summer, sent word of their intention, ten days prior to their departure, to the officials who have had the management of the case, expressly in order to give them an opportunity to make any proposition if they desired to do so. No attention was paid to their message. Ten days later, and just before leaving Chi nan fu a second message was sent. To this, after some delay, answer was made that their earlier notice had been received and that the officials had "nothing to say."

I

I still believe that by pressing the business earnestly in the line recently taken the local authorities may be forced to make some definite and satisfactory proposition at an early day.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosures.

1. Prince Kung to Mr. Holcombe.
   62/1882. June 25th, 1882.
2. Mr. Holcombe in response.
   66/1882. June 28th, 1882.

Copy.

Despatch No. 136.
Enclosure 1.

No. 62/1882.

Prince Kung to Mr. Holcombe.

I have had the honor to receive your communication of the 16th instant in relation to the Chinanfoo missionary case, wherein you request me to restore the original property to the missionaries, in accordance with the terms of your despatch of May, 20th - etc. etc. -

In reply I beg to say that the property purchased by the missionaries was adjoining the Provincial University and the case presented inconveniences, - the residences of the inhabitants were interfered with. Moreover, the University

is

is an important locality as being the "cradle of learning" and interference with it is of graver importance than interference with the residences of the people. The missionaries cannot be permitted arbitrarily to purchase what by treaty would be forbidden. Liu Yü Ting and the others — fellows of no means — plotting for large profits took and sold this house to the missionaries; the latter did not report the transaction to the Authorities nor was any deed stamped; — Liu Yu Ting and the others privately effected the transfer so that all parties are in the wrong

wrong. Some months after-
wards when the missionaries
proceeded to convert the prem-
ises into a chapel the Gentry of
"the University knowing that their
"Feng Shui (geomantic influences)
"would be interfered with were all
roused with indignation and did
what they did; it is not without
cause that they molested the
missionaries. Moreover by the
terms of the 12th article of the
American Treaty it is only at
the treaty ports that land may
be leased and churches erected.
In the Chinese text of the 6th
Article of the Supplementary
Treaty with France it is errone-
ously

cously stated that "it is, in
"addition," permitted to French
"missionaries to rent and purchase
"land in all the provinces, and
"to erect buildings thereon at
"pleasure". this is a fact which
you have doubtless heretofore known.

In this case the officials of
Chi-nan fu to promote friendship,
in addition to sending constables to protect the missionaries,
sought for other premises to ex-
change with those of the mis-
sionaries, they tried to bring about
an amicable settlement of the
matter really in the interests of
friendship between our Govern-
ments, and took exceptional

pains

pains to arrange the case satisfactorily. Among other statements your despatch has the following— "If a jade snuff bottle be taken from "a man by force could he be expected "to accept a glass snuff bottle as "an equivalent for it." Please— bear in mind that when the property was bought, it was not reported to the officials. According to Chinese law "a white deed" (unstamped) is not recognized as valid in cases of litigation, so that the missionaries have, in fact, no valid title to the property. There was no actual possession of a jade stone snuff bottle to quote from your comparison.

ison. The house in the East Gate belonging to the man Yeh which it was proposed the missionaries should purchase is a large and spacious property, and the "Ching Cho Kung So" is connected with a locality where everything is strict and orderly. These two properties might really be compared to the "Jade Stone Snuff bottle", and they were offered to the missionaries in exchange for what they never actually possessed; and since the missionaries had thus — what they required why make it necessary for us to explain this. But the missionaries deemed both

sites

sites as not perfectly adapted to their requirements and were therefore unwilling to make the least concession. It never occurred to them that the house purchased by them was in violation of the Treaty, and that the offer to them of other premises was a compromise not contemplated by the terms of the Treaty. Quoting from the Governor's letter wherein it is stated that no notice was given to the local authorities - and no legal deed stamped. - You say - "Nothing in the - "treaties requires that such notice "should be given." If the phrase - "The legal fees to the officers

for

"for applying their seal shall
"be paid."— and which everybody
knows — does not mean the
transaction shall be reported
to the local authorities."— We
should like to know what it
does mean. Your despatch also
says — that all the neighbours
signed the deed — The neighbours
who signed the deed were of the
same crowd as did yu t'ing. I
should like to know why the
neighbours of the University were
not requested to sign the deed.
Again your despatch says. "No
"formal deeds are taken out in that
"province for property that is "mei
"liang li." The case of the pro-

perty

perty in question was never
before brought to the notice of the
officials to be put in its proper light.
I beg to say that there is no
regulation in China, by which
property is exempted from having
a formal deed. Your despatch
next refers to the statement of the
Governor that the literati and
people were enraged because
Lui Yu Ting and the others had
conspired to deceive the mission-
aries, and it says — why should
they be angry at this? — They
were enraged against Liao Ts'z
and others for benefiting them-
selves at the expense of others,
and against the missionaries

for

for purchasing the property in violation of the Treaty - the reason of this is plain and requires no comment. Your despatch next criticizes the statement of the Governor, that the missionaries have sought premises in various parts of Chi-nan-foo and have never been interfered with or molested by the literati and people, by declaring that the literati stirred up this trouble." So long as there is nothing to bring the missionaries and the literati into conflict, seeing that there need be no intercourse between them, they will of course not

not worry each other; but when some contre temps occurs, they will rise in a body and resist each other. This is but a natural consequence in the nature of things. The four placards which you have sent to us discloses the fact that the literati and people of the province do not cherish the best of feelings towards the missionaries, and the latter doubtless knows that it is not prudent to run counter to the masses. They expect the Officials to keep order by force without considering that it cannot be done. But if order is to be kept by force admitting that a handful

of

of men may by every exertion of strength keep order for a moment, if they contract the enmity of the masses they must eventually be defeated, and this I apprehend, would not be the best interest of the missionaries. Their best interest is to amicably discuss and settle the business on both sides.

The situation may be summed up as follows:- The property purchased by the missionaries interferes with the residencies of the inhabitants, and the deed has not been stamped; both by the Treaty and by Chinese Law, this transaction is illegal. The building of churches in the province

of Shantung is in fact not contemplated by Treaty. The local authorities sincerely desirous of promoting friendships, — offered two sites to the missionaries in exchange, both of which they refused. The request that the original property be restored to the missionaries is extremely difficult to comply with.

Your Excellency has resided many years in China and you have an intelligent perception of what is right, and I suppose you must be aware of the difficulties which this case presents to the Governor of Shantung.

I now give you a detailed statement of the real facts of this case, and have again to

request

request you to instruct the missionaries to consult amicably with the local authorities, and I shall on my part, request the Governor of Shantung to appoint deputies to consult and satisfactorily arrange the case to the end that it may be closed at an early day. It is only by mutual concession and help that it can be effected. And the Treaty will thus be followed, and good will will be manifested. —

H. E. Chester Holcombe, Esquire

&c &c &c

Peking, June, 25th, 1882.

Despatch No. 136.
Enclosure 2.

No. 66/1882.

Mr. Holcombe to Prince Kung.

June, 29th, 1882.-

Your Imperial Highness:-

I have had the honour to receive the despatch of Your Imperial Highness of the 25th instant in relation to the "Chin an fu" "missionary case" in which you comment upon the statements made in my letter of the 16th and renew your request that I should instruct the missionaries to consult amicably with deputies to be appointed by the Governor with a view to settle this case by an exchange of properties. Your

Imperial

Imperial Highness details what appears to you to be the real facts of the case; declares that the missionaries as well as Liu Kü Ying acted wrongly in making the purchase; asserts that it was not without cause that the literati molested the missionaries; and maintains that the local authorities have taken exceptional pains to arrange the business satisfactorily in the interests of friendship between our two Governments.

I regret to be obliged to say that I cannot agree with Your Imperial Highness in

in any one of these assertions. There is not a particle of evidence to shew that either the missionaries or Liu Yü ting acted wrongly in making the purchase of the original property. The business was conducted as similar business has been conducted, without opposition and without complaint, by Protestant and Romish missionaries of every nationality in hundreds of cases and in every province of China. No formal deed was taken out because the missionaries understood that for "wei liang ti" no deed — legal — was required. Your Imperial Highness doubtless

less knows as well as I do, that unstamped deeds are quite as common in China as are stamped deeds. And I must repeat the statement contained in my earlier despatch that by the English text of the treaty of Tientsin purchasers of property are not required to notify the local authorities and have the deeds stamped. The utmost the sentence referred to in Article XII, can be made to mean is that if deeds are stamped the legal fees therefore shall be paid to the authorities. The simple facts of the case are

that

that the missionaries wanted premises for a chapel and dispensary on the West street of Chinanfu. The property in question was offered them, the price was reasonable, and they made the purchase in entire good faith, and with no thought that any trouble could possibly arise. The neighbours assented and signed the deeds. Your Imperial Highness inquires whether those who signed the deeds — were of the same class as Liu Yü ting. I presume so, that is, they were quiet well behaved Chinese, as was Liu Yü ting.

And

And I repeat that all this hue and cry against him is devoid of foundation. He had lived a long life in Chinanfu and was always esteemed a good citizen until he committed the grave offence of aiding the missionaries to secure premises, and for this he has been obliged to fly from the city and the province.

Your Imperial Highness declares that the local authorities have really taken exceptional pains to arrange the case satisfactorily, but that the missionaries were unwilling to make the least concession. I beg

respectfully

respectfully to submit that the facts sustain neither of these assertions. The authorities have endeavoured to force the missionaries to accept in exchange premises which they deemed unsatisfactory and hence refused. The consent of the missionaries to exchange property which they had bought in good faith, and which was suited to their needs, was in itself a concession and a large one to the prejudices of the literati and in the interests of peace. In return for this concession, they have been trifled with and insulted.

Month

Month after month have they waited, and day after day have they sought to come to some amicable arrangement, and all in vain. I have been to the trouble and expense of sending special deputies to Chinanfu to arrange this business. The only result of this concession on my part was a renewal of the effort of the local authorities to induce the acceptance of premises which had been repeatedly refused as unsuitable! And yet Your Imperial Highness asserts that the local authorities have taken exceptional pains to arrange this business,

but

but that we would not make the least concession! And Your Imperial Highness adds that the local authorities took their line of action in the interests of friendship between our Governments! I can in answer to this, only express my regret that we should differ so widely as to what the interests of friendship between our Government really demand. Certainly if Chinese Officials generally should initiate the conduct pursued by the Chinanfu officials for the past year, not only would all friendship between our Governments

ments be speedily ended, but relations of peace even could not be maintained for many months.

Your Imperial Highness declares that the literati were angry at Tsao Sz and others forgetting so large a price for their property, and at the missionaries for purchasing the property in violation of the Treaty. I surely need not point out to Your Imperial Highness that it was really no concern of the literati what price was asked or paid for the premises in question. The missionaries wanted the property

property. It was offered them at a price which they considered reasonable, and they paid it. What business have the liberati with this? On the other hand the missionaries did <u>not</u> violate the Treaty in so making the purchase. I am quite ready to admit that there is no clause in the United States treaties which, in so many words, authorizes the purchase by missionaries of premises in the interior. Neither is there any clause distinctly forbidding it. And property has been bought for the past twenty years by

missionaries

missionaries of every nationality in every province in China. The Romish missionaries have large premises in Chinanfu to-day. Surely Your Imperial Highness does not mean to declare two rules, one for Romanists and one for Protestants, or to hold that Protestants have violated the treaty in doing what you have quietly permitted the Romanists to do.

Still further by distinct treaty stipulation, Christian Chinese are entitled to the same protection from annoyance, and to the same freedom of worship, as are accorded to

Taoists

Taoists or Buddhists. They have therefore the same right to their places of worship, <u>every where in China</u>; that Taoists — and Buddhists have to their temples. The premises in question were wanted, not as a place of residence for the missionaries, but for Christian worship by the Chinese. There would have been no question of "Jung Shui" and no interference, if the premises had been bought for a Buddhist temple. Hence, according to the terms of the treaties, there can be no legitimate objection to the use of them as a Christian chapel.

But

But there is one expression in Your Imperial Highness' despatch of very grave significance, and which I must believe was inadvertently incurred, to which I beg to call your attention. I have recently asked on two occasions for the arrest and punishment of the literati who led the mob in the plunder of the premises in question. This request is in strict conformity with the promises of our treaties. To it Your Imperial Highness has made no response. But in the despatch under review Your Imperial Highness declares that "it was not without

"out

"out reason that the liberals
"molested the missionaries." And
further on it is stated that "the
"missionaries expect the officials to
"keep order by force without consider-
"ing that it cannot be done." Not
only the missionaries but the
Government of the United States
expect that the local authorities
will keep order by force, if it be
necessary to employ force; that
in any and every event citizens
of the United States shall be thorough-
ly protected both in person and
property from mob violence. And
that this shall be done wherever
Americans, whether missionaries
or others, may be, as well in

the

the interior as at the open ports. Plain treaty stipulations distinctly promise this, and I need not assure you that failure to do this will give rise to very grave questions between the United States and China. If Americas violate the treaties there are plain and well defined methods of dealing with them, and Your Imperial Highness may rest assured that they will be held rigorously to account for such violations. But under no circumstances will my Government allow its people, whether guilty of violations of law or not, to be subjected to mob violence.

violence. This has occurred too frequently in the past, and my Government will without doubt hold the offending parties strictly accountable for such gross violations of treaty and law in the future. In this connection I must renew my request for the arrest and punishment of the leaders of the mob at Chinanfu. And I beg also for an Explanation of the exact meaning of the declaration of Your Imperial Highness that "it was not without reason "that the literati molested the "missionaries", in order that I may communicate it to my Government. The Expression as

it

it stands cannot fail to ex-
cite a feeling of surprise
and apprehension.

In conclusion Your
Imperial Highness remarks
that this case can only be settled
by mutual concession and
help. In this opinion I entirely
agree, and have stood ready
for a twelvemonth to concede and
have laboured in good faith to
bring about a settlement. But
concession must be two sided,
and the local authorities of
Chinanfu must not expect our
people to accept a snuff bottle
of glass for one of jade, nor
should Your Imperial Highness

expect

expect me to advise any such concession on their part. I am aware of the difficulties which this case presents to the Governor of Shantung, and I am also aware that these difficulties would disappear before a just and decided policy on his part. Had he six months ago consulted the prejudices of the literati so far as to give the missionaries not the original place, but one of several places then offered for sale in the same street, he would have done all that could in reason have been expected of him by the literati, would have satisfied

the

the just claims of the missionaries, and saved Your Imperial Highness and me much vexatious correspondence.

If the local authorities have any premises to offer to the missionaries in exchange, and if the missionaries choose to accept the premises offered, this delegation will raise no objection to such a solution. But in view of what has passed, and of our repeated efforts to obtain some concession from the local officials all of which have failed, I must decline to issue any instruction to the missionaries to consult further with them. And I ought to add that it will be

useless

useless to discuss further the premises of Yeh, inside the East Gate or the "Ching Cho Kung So" — these are glass snuff bottles and not jade, and certainly will not be accepted.

I desire only to add in conclusion that I have thus discussed and controverted the points raised in the despatch of Your Imperial Highness from no love of controversy. Still less have I desired to write that which may seem harsh and disagreeable. But I am convinced that cases of this sort are increasing in frequency, that in them our people are made to

suffer

suffer undeservedly, and that both of these most unfortunate results could easily be prevented by a different and more just policy on the part of the subordinates of Your Imperial Highness I am ready to inform Your Imperial Highness what, in my opinion, this policy should be, whenever it may be asked.

In the meantime I am bound to renew my request that Your Imperial Highness will instruct the Governor of Shantung to bring this case to an immediate and satisfactory conclusion.

I have &c

(Signed) Chester Holcombe.

Dr. Ellenwood. aug 16, 1882 Crittenden

Acted. aug. 16, 1882 Crittenden.

Send the enclosures of this to to Dr Ellenwood - Offshore

No. 137. Seven Enclosures.



Legation of the United States.

Peking, June 29th, 1882.

Chester Holcombe to the Secretary of State.

Subject.

An insane American at Chinanfu.

Synopsis.

Rev. J. Fisher Crossette, an insane citizen of the United States, has wandered back to China and is now traveling like a vagrant in the province of Shantung at the imminent peril of his own life and the lives of all foreigners in that region. Mr. Holcombe has taken certain specified measures

to

to secure possession of her. & Terostitte's person, and proposes to return him to the United States at Government expense. No statute regulation or precedent for this case. Asks approval of course as proposed, and to be authorized to draw upon Department for expenses incurred.

No. 137. Seven Enclosures.

Legation of the United States.

Peking, June 29th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

I have the honor to enclose herewith for the consideration of the Department copies of two letters written by English missionaries in the province of Shantung and addressed to Dr. Dudgeon, a physician of this city, by whom they were turned over to me upon the 25th instant. 1-2/137

They relate to the appearance in the interior of Shantung of J. Fisher Crosette, an insane American.

Mr. Crosette was formerly a missionary of the American Presbyterian Board stationed at Chi nan fu. While laboring

laboring there he lost his mind in the winter of 1878-9. and, at my suggestion, was sent to the United States by his associates in the mission in the summer of 1879. It appears that he has wandered back to China, having worked his passage as a deck-hand on board ship, from New-York, via Liverpool, London, Naples, Penang, and Shanghai to Chefoo. And he is now tramping about — Shantung dressed much like a Chinese vagrant, destitute of money, clothing, food, or friends. When seen by the missionaries at Ching Chow fu he was hurrying on to Chi nan fu as he said "to rescue the — Christians there" who were in trouble. They tried in vain to keep him with them, or to persuade him to accept supplies of money or food.

Immediately upon receipt of this information, I addressed a despatch to

Consul

3/137 Consul Guck, at Tientsin, requesting him to make preparations to send his Marshal to Chi nan fu to secure the person of Mr. Crozette and to bring him, under restraint if necessary, to Tientsin. The same day I went to the Foreign Office and requested the Ministers to send a "flying courier" to the Governor of Shantung directing him to make search for and arrest Mr. Crozette and hold him in custody, with kind treatment, until the Marshal should appear and take charge of him.

The Ministers not only cordially granted my request, but offered to instruct the Governor to send the lunatic under careful escort and kind treatment to Tientsin and to deliver him to Consul Guck. I accepted this proposition and instructions were sent while I was still at the Foreign Office. In order to put the business into more formal

formal shape, I addressed H. I. H. Prince Kung on the 26th ult. repeating the verbal request made before, and adding that the Legation would thankfully refund any expenses to which the Chinese officials might be subjected in this business. I
4/137 also addressed Mr. Zuck again, recalling my request that his Marshal be sent to Chi nan fu, but instructing him to take measures to place Mr. Crozette under restraint should he appear at
5/137 either Tientsin or Chefoo. Mr. Zuck has replied that my instructions have
6/137 been complied with.

My object in taking these measures is to secure possession of this insane person and to send him as speedily and cheaply as possible consistent with due regard for his security and bodily health back to the United States. And I shall hope that the Department will

will reimburse me for the expenses ~~a~~ necessarily incurred in so doing.

At the same time I am bound to say that, after careful search, I can find neither statute, regulation, nor precedent to guide me in this business. I have been obliged therefore to rely solely upon my own common sense and judgment of what ought to be done in the premises. One thing is certain, and is an immediate cause of great anxiety. The presence of an insane foreigner in the interior of China places his own life in imminent and serious peril and the lives too of all other foreigners within the regions to which he may wander. There is unusual excitement, connected with foreigners, in the province of Shantung just now, and the Department can easily imagine what disastrous consequences may arise from the additional excitement there created by

(the

the appearance of an irrational and uncontrollable foreign lunatic. Beyond a doubt he must be removed from the interior of China and placed under some surveillance and restraint at once. But there is no foreign insane asylum in China, and if there were, Mr. Crosette could be confined in it only under the authority and at the expense of the United States. There is a Consular jail at Shanghai but it has no facilities for the care or treatment of insane persons. The permanent confinement of Mr. Crosette there is out of the question. I saw him repeatedly while in the United States last year, and in my opinion, while his insanity is, at present, of a mild type, yet he is manifestly, and I fear hopelessly, deranged.

Under all these circumstances the only course open seems to be to send him

him at once back to the United States where he can either be placed in charge of his friends or in confinement. It is my intention to send him, either as a second class or steerage passenger direct to New York, by a "tea-steamer" via Suez. This will not only be cheaper than to send him via San Francisco, but it will bring him near to his wife who resides, I believe, in Connecticut.

I must beg you to approve the line of conduct which I have been practically forced to adopt in this sad case, and to authorize me to draw upon the Department for the expenses necessarily incident to it.

Mr. Crosette has a wife and one or more brothers living in the United States. I have been unable to obtain their addresses, but the Department can easily learn their whereabouts through

Rev

Rev. Dr. Ellinwood, Foreign Secretary,
Presbyterian Board of Foreign Missions,
No 23. Center Street, New York.

I have this moment received the formal response of Prince Kung to my despatch of the 26th instant in this business, and enclose a Translation herewith.

7/137

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosures.

1. Mr. Jones to Dr. Dudgeon
June 16th, 1882.
2. Dr. Mitts to Dr. Dudgeon
June 16th, 1882.
3. Mr. Holcombe to Mr. Zucker.
No 23. June 25th, 1882.
4. Mr. Holcombe to Prince Kung.
64/1882. June 26th, 1882

5. Mr. Holcombe
No 25.
to Mr. Zuck
June 26th, 1882.

6. Mr. Zuck
No 20.
to Mr. Holcombe
June 27th, 1882.

7. Prince Kung
67/1882.
to Mr. Holcombe
June 29th, 1882.

Despatch No. 137.
Enclosure 1.

Mr. Jones to Dr. Dudgeon.

Tsing Chen fu.
16th June, 1882.

My dear Sir,

Yesterday after-
breakfast, who should walk
in but our friend J. F. Crossette,
formerly of Tsi-nan-fu. He
presented himself dressed in a
style very much that of a
Chinese Fagrant, with grass san-
dals and a foreign wallet, bare
feet and a Scotch plaid over
his shoulder. We had the
poor fellow in, got him a
change, and a wash &c.;
and made him look exter-
nally

nally a very different man.

As we got to talk, it soon became apparent that his notions on things in general indicated that they sprang from a deranged mind and appeals to him on grounds of ordinary reason, or even ordinary faith, were utterly vain.

We ate nothing but coarse wheaten bread, butter and fruit, alleging that he did so on Scriptural authority &c. &c.

My two colleagues, Mr. Kitto and Mr. Whitewright, both here, saw him and were fully convinced, as far as their judgement went, that he was still

a

a deranged man.

He describes himself as having refused the control or help of his friends at home, worked his way from New York via L'pool, London, Naples, Port Said via Penang to Shanghai, having made a detour to Jerusalem of some seven or eight weeks. He made his way from Chefoo to this mostly on foot, and has no baggage except what I have mentioned; that I know of. We did all we could to persuade him to stay here, but to no avail. He wished to proceed to Tsi nan foo this a.m. at 4. o and after every ruse and temptation failed I had to let him go

about

about 6. o. a. m. having doffed his good rig and re-attired himself just as he had arrived.

Refusing to take silver, I tried to persuade him to take bread, but to no use.

It would be as useless as improper to recount the many ridiculous things he said, but the serious bearings of the matter I must now touch on.

On Tuesday at noon Dr. Nunn of Tsi-nan-foo, passed through this city with his family en route for Chefoo having left Tsi nan foo only with considerable trouble, the parties in some suit having threatened to de-

tain

rain him by force and his ex-
it from the city being accom-
plished by the forcible interven-
tion of the Taotai backed up
by an escort.

Mr. Murray was to have
left Tsi nan fu the day before
yesterday for Tientsin, I believe,
so there are no Protestant Mission-
aries in the city now.

The populace is believed to
be in a state of irritation against
foreigners. The scholars are similar-
ly minded. We were of course
aware that there were very serious
complications in Tsi nan fou —
about foreign matters. We were
also aware of the Yé Chow af-
fairs.

fairs. We knew the present extent of "Yao Yen" in Shantung. We knew there was no responsible Protestant missionary in the city, and we rather dreaded the entry of an irresponsible and irrational man on the scene. The Chinese around us, including men of judgement, were of the same mind. My colleagues and I debated the matter, taking into consideration every other course we could think of that was open to us, and all seemed open to objection except the one we now take.

Mr. Crossette told us he held

held no passport, but that formerly one had been granted him by the U. S. Legation in Peking – some years since – but whether in his possession or not – I question. –

Mr Crossette further stated his intention of going to the residences of the foreigners in their absence. Besides all this he stated that his idea was to go help the native Christians, and for that he felt bound to hurry on.

This all being so, and you having been very closely connected with his case on the former occasion, and so, in a position to speak as well as on the ground at head quarters. – We deter-

mined

mined to write to you asking
you to bring the matter under
the notice of the U.S. Legation or
Authorities in such way or form
as you may deem best; you
probably being well acquainted
with them. We have no objection,
should it be necessary or conven-
ient to bring the matter before
them through the medium of
the English Legation if you so
think best, as all rows in the
provincial Capital concern very
closely English subjects residing
in the Sub prefectures, and the
more irregularity is permitted,
the more uglinees there will be
to adjust in other ways. Now

so

so much for the business light of the thing as an ordinary matter to be managed. Don't think we didn't cogitate other plans, but all had some objections except this against which nothing seemed to lie.

But besides all this we had to think of the poor object before our eyes. — a religious monomaniac, wandering away over land and sea, taking his lonely journey in Palestine, and then landing at Chepoo and passing on up that great long bare road cut off from all the ordinary resources of man, feeling his isolation, yet driven by an

impulse

impulse that one can only pity. Alas, there seemed to be no one to pity, or prevent, or care; and I had to see him go off, as we parted, and he became lost in the hurrying crowd of the city. - taking the last step as it were from our little centre here, out into the wild waste of China, without protection, without friend, without reason, without a hope. For such it was; as such it struck me, and, as such I ask you to - put it before those who represent the people of the United States at Peking.

Now, dear D. -, see

what

what you can do to have him got back and without rough handling, so that he be not left to be killed or torn to pieces as may be, and a big kick up come of it. Excuse my brevity.- Kind regards to all your circle from

Yours very truly.

(signed) A. G. Jones.

P.S. Crossette said he had enough silver - too much for him, he intimated. He is not connected with the Am. Presb. Mission.

He might yet turn up with Richard at Tai Yuen fu but Tsi nan is the place to find him.

Despatch No. 137.
Enclosure 2.

Dr. Kitts to Dr. Dudgeon.

Tsing Chin Fu.
16th June, 1882.

Dear Dr. Dudgeon,

Just a line to add to what Mr. Jones has already written you about poor Crossette as I have a special interest in that class of people, having studied mental diseases under Dr. Major of Wakefield Asylum, Yorkshire. I asked Crossette over here to tea last evening with the express object of seeing if anything could be done for him, but immediately he had swallowed his tea

he

he went back to Mr. Jones —
and retired for the night.
No arguments, persuasion,
or intreaty that we could bring
to bear upon him was sufficient
to induce him to stay any long-
er with us. I feel persuaded that
nothing but physical force could
have done that, but we had no —
legal power to use that means —
this in my opinion ought
to have been used at Chefoo,
which port his friends and
his Consul ought never to have
allowed him to leave. He
has now left the last outpost
of civilization so to speak,
and is now in a far worse
condition

condition and under far more irritating circumstances than those under which he lost the balance of his mind. He himself says he was much better — while working his passage out as a deck hand on board ship. At Jerusalem he almost abandoned his project and probably would have done so but he unfortunately met the R. C. Bishop of Tei-nan with a Chinese servant, and thus set him off again.

It is quite a mystery to me why his friends in America ever permitted him to start on this mad journey and still more so

why

why his Consul and friends at
Chefoo did not detain him
there. Do try what you can
do for him at the U. S. Legation
and have the poor fellow sent
home again.

Kindest regards to all.

Yrs very sincerely

(Signed) J. T. Kitto.

Despatch No. 137.
Enclosure 3.

Mr. Holcombe to Mr. Luckt.

No. 23. June, 25th, 1882.

Sir,

I have just learned that Reverend J. Fiches Crossette, a former resident in China — and who was sent home by my orders in the Spring of 1879. — because of insanity, has returned to this country, and is now in Ching Chow fu on his way to Chi nan fu dressed as a Chinese vagrant. Messrs. Murray and Hunter I hear are both absent from Chi nan fu.

You will doubtless perceive the serious consequences that

that might ensue from the presence of an insane foreigner in Chi nan fu in view of the excited popular feeling against foreigners in that city. I have therefore to request you to have the marshal of your Consulate in readiness to proceed with the least possible delay to Chi nan fu in request of Mr. Crossette, and to bring him away from that city, under restraint, if necessary. Detailed instructions in this connection will be sent to you to-morrow.-

I am. Yr.

(Signed) Wesley Holcombe.

Dispatch No. 137.
Inclosure 4.

64/1882.

Mr. Holcombe to Prince Kung.

June 26th, 1882.

Y. I. H:—

I learned yesterday of the presence in the province of Shantung of an American citizen, J. Fisher Crosette by name, who is insane.

Mr. Crosette was formerly a missionary at Chi nan fu, and was at my suggestion sent home by his friends three years since, because his mind had become deranged.

It appears that he has wandered back from the United States to Shantung, and is traveling through that province on foot, in the dress and guise of a Chinese vagrant, without money, food, or friends. He spent the night of June 15th with some English missionaries at Ching Chow fu, and, in

spite

spite of their efforts to detain him, left them the next morning (June 16th), en route, as he declared for Chi nan fu, He said he must go there to rescue the Christians, who, as he had heard, were in trouble.

There are, at the moment, no missionaries at Chi nan fu who could take charge of and care for this insane person upon his arrival there, and Y. I. H. will see, as I do, the very serious consequences which may arise from the presence in the interim of such a person. He is entirely irresponsible for his conduct and it is impossible to foresee what he may do, or what may be done to him. I am anxious to secure possession of his person at the earliest possible moment in order that trouble

may

may be avoided here, and that he may be sent back to his friends in the United States.

May I beg Y. I. H. to send an instruction, by a flying courier, to the Governor of Shantung to cause search to be made for Mr. Crosette, and that he be arrested wherever found, and sent, under restraint, if necessary, and with a suitable escort, to Tientsin, and delivered to the United States Consul at that port. Y. I. H. will also doubtless request the Governor to issue rigid instructions to his subordinates to carefully avoid any unnecessary violence or ill treatment towards Mr Crosette, and to see that he is well fed and as kindly dealt with as may be. This Legation will gladly refund any expenses to which the Governor may be put in complying with this request.

I laid this matter verbally before

the

the Ministers of the Foreign Office yesterday, and now beg to submit it more formally to Y. I. H. with an expression of my very earnest desire that immediate action may be taken.

I have etc.,

(signed) Chester Holcombe.

Despatch No. 137.
Enclosure 5.

Mr. Holcombe to Mr. Luckr.

No. 25. June, 26th, 1882.

Sir:—

Referring to my despatch number 23 of yesterday's date I have the honour to inform you that, as the Chinese Foreign Office has, at my request, — sent instructions to the Governor of Shantung to cause the arrest of Mr. J. Fisher Crossette and to send him under careful escort and kind treatment to Tientsin for delivery to you, it will not be necessary for you to despatch the Marshal

of

of your Consulate in search of him.

As it is impossible to tell whither the vagaries of an insane person may lead him, it is possible that Mr. Crossette may turn up either at Tientsin or Chefoo any day. In such event, you will please take steps to see that he is immediately placed under restraint, and will report the facts to this Legation.

You will be advised in due season of the steps to be taken with him whenever he comes into your hands.

I am &c.

(Signed) Chester Holcombe.

Despatch No. 137.
Enclosure 6.

Mr. Zuck to Mr. Holcombe.

No. 20. June 27th, 1882.

Sir:—

I have the honor to acknowledge the receipt of your two despatches Nos. 23. and 25. relative to the Rev. J. Fisher Crossette, and have duly noted the contents of the same.

I have also communicated with the United States Consular Agent at Chefoo and requested him in case Mr. Crossette reaches Chefoo to place him under restraint and report the same to me.

I am, etc.

(signed) Jas. C. Zuck.

Despatch No. 137.
Inclosure 7.

67/1882.

Prince Kung, Chief Secretary of State for foreign affairs, herewith makes a communication in reply.

Upon the 25th instant you came to the foreign office and stated that you had learned that Mr. J. Fisher Crocette an American missionary whose mind is deranged had been at the residence of certain English missionaries at Ching-Cho fu, and had started thence for Chi nan fu. You requested that the Governor of Shantung might be instructed to make search for Mr. Crocette, and when found to send him under proper guard to Tientsin, there to be delivered over to the United States Consul.

The same day this office sent

instructions

instructions by a "flying courier" traveling at the rate of 500 li (175 miles) per day to the Governor of Chi nan fu to do as you had requested. Being now in receipt of your despatch to the same effect I have sent a copy of it to the Governor and repeated my instructions to him.

Hon. Chester Holcombe
etc. etc. etc. etc.

Peking, June 29th, 1882.

Mr Adee

File

No. 138. One Enclosure.

DEPARTMENT AUG 7 1882 RECEIVED

Legation of the United States.

Peking, June 30th, 1882.

Chester Holcombe to

this date Secretary of State.

Note marriage noted

Subject.

Marriage certificate.

Synopsis.

Forwards for the files of the Department copy of the certificate of the marriage of two citizens of the United States.

No. 138. One Enclosure.

Legation of the United States.
Peking June 30th, 1882.

Honorable F. T. Frelinghuysen
Secretary of State.

Sir:-

I have the honor to forward herewith, for file in the Department, one copy of the certificate, issued by me, of the marriage of two American citizens in this city last evening. No. 138.

I have the honor to be,
Sir,
Your obedient servant.
Chester Holcombe

Enclosure.

Enclosure.

1. Marriage certificate of Frank Hemlap Gammell and Mary L. Porter.

Despatch No. 138.

Inclosure.

Legation of the United States.

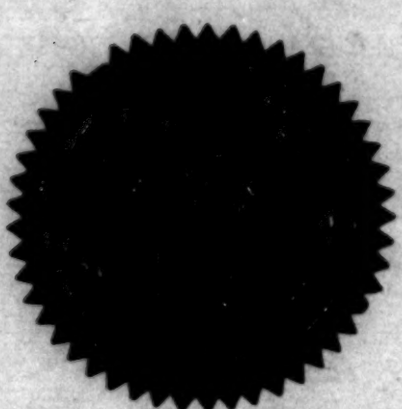
Peking, June 29th, 1882.

I, Chester Holcombe, Chargé d'Affaires ad interim of the United States at Peking, do hereby certify that on this twenty ninth day of June A. D. 1882, at the Methodist Episcopal Mission in the city of Peking, Frank Dunlap Gamewell aged twenty four years, born in Camden, South Carolina, and now residing in Peking, China, and Mary D. Porter, aged thirty three years, born in Alleghany City, Pennsylvania, and now residing in Peking, China, were united in marriage before me and in my presence, by Rev. George R. Davis, who is authorized by the laws of the State of Michigan to perform such

(a

a ceremony.

In witness thereof I have hereto subscribed my name and affixed the seal of the Legation at Peking, this twenty ninth day of June A. D. 1882. and of the Independence of the United States the one hundred and sixth.



Chester Holcombe
Chargé d' Affaires.

No. 139. One Enclosure.

Legation of the United States.

Peking, June 30th, 1882.

DEPARTMENT OF STATE
AUG 16 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Salary account.

Synopsis.

Forwards a statement of Mr. Holcombe's salary account for quarter ending June 30th, 1882.

No. 139. One Enclosure.

Legation of the United States.

Peking, June 30th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:

I have the honor to transmit herewith a statement of my account for salary for the quarter ending this day. 1/139

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure

Enclosure.

1. Salary account, 2nd quarter, 1882.

No. 140. One Enclosure.

Legation of the United States,
Peking, June 30th, 1882.

DEPARTMENT OF STATE
AUG 16 1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Forwards a statement of the Legation rent account for the quarter ending June 30th, 1882.

H.M.

No. 140. One Enclosure.

Legation of the United States.

Peking, June 30th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State!

Sir:—

I have the honor to transmit herewith a statement of the rent account of this Legation for the quarter ending this day. 1/140.

The Department will please note that the draft for this quarter has been made for $750, the usual amount, less $325.79, which, as you will see from my despatch number 77, is the accumulated gain by exchange and depreciation of

of Mexican dollars during two years. The actual sum drawn for was, therefore, $4424.21.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

1. Statement of Legation rent account, second quarter, 1882.

Received Aug 23 1882 Cipher

No. 141. One Enclosure.

Legation of the United States.

Peking, June 30th, 1882.

DEPARTMENT OF STATE AUG 16 1882 RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Forwards a statement of this account for the quarter ending June 30th 1882. Allowance too small. Should be increased to $800. at least.

No. 141. One Enclosure.

Legation of the United States.

Peking, June 30th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

I have the honor to transmit herewith a statement of the incidental expenses of this Legation for the quarter ending this day. 1/141. 4

In spite of smaller expenditures than usual and the most rigid economy, the allowance for the fiscal year closing to day has, as you will see, been exceeded to the amount of $48.59,

The

The allowance for contingent expenses to this Legation should be increased to $800. at the very least.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

4

Enclosure.

1. Contingent expense account 2nd/4 quarter, 1882.

Mr Williams

No. 142. Two Enclosures.

Legation of the United States.

Peking, July 1st, 1882.

DEPARTMENT OF STATE
AUG 16 1882
RECEIVED

Chester Holcombe to

the Secretary of State.

Subject.

Performance of notariab acts by Commissioners of Customs.

Synopsis.

Forwards papers giving details of scheme as submitted by Prince Kung. Calls the attention of the Department to certain difficulties in the way, and asks for instructions.

No. 142. Two Enclosures.

Legation of the United States.

Peking, July 1st, 1882.

Honorable F. T. Frelinghuysen,

Secretary of State.

Sir:—

I have the honor to enclose herewith a translation of a despatch 1/142
received a few days since from H. I. H. Prince Kung covering certain prescribed rules and forms under which it is proposed to empower the Commissioners of Customs at the various ports in China to perform notarial duties. H. I. H. requests me to issue instructions that these rules may be observed. In my response to H. I. H. a copy of which is enclosed, I have called his attention 2/142
in a general way to the laws of the

United

United States respecting the authority under which a person may act as Notary Public; have expressed a doubt whether a protest noted as provided in these rules would be recognized in a Court of the United States; and have declined to issue instructions in the premises until the matter shall have been laid before you.

There are certain manifest difficulties in the way of complying with the request of the Prince. The Commissioners of Customs in China, by whom it is proposed that these notarial acts shall be performed, are, without exception, foreigners. They hold no Commission or other letter of authority from the Central Government, or from any Provincial Authorities. They are simply clerks, or other subordinate employées

employées under Mr. Hart, the Inspector General, and may be transferred from one post to another, promoted or degraded or dismissed the service entirely by him, with or without reason assigned or notice given. Mr. Hart himself, if I am correctly informed, holds no commission from the Chinese Government, but performs his responsible duties solely by virtue of a contract of agreement between himself and the Foreign Office.

While individual Commissioners of Customs have repeatedly attempted to assume an official status, it is manifest from what I have said above that they have no claims to such a position. Nor has their assumption of such status been recognized in a single instance so far as I am aware. They are neither more nor less than employées

(of

of Mr. Hart who is himself an employée of the Foreign Office.

In saying this I would not like to be understood as seeking to underrate the position and services of these gentlemen. They are, as a body, exceptionally able and have been of the greatest value to the Government and people of China. Yet it is plain to me that they do not hold any such legal position in the Chinese service as would justify us in recognizing the validity of notarial acts performed by them.

Then, again, the rules and procedure proposed is simply the result of a correspondence between Mr. Hart and the Foreign Office. There has been no Imperial Decree (corresponding to our national or state legislation) authorizing

authorizing or empowering Commissioners of Customs or any other parties to perform the duties mentioned. The entire scheme, as it appears to me, is informal and fatally defective in a legal point of view.

As the rules prescribe that Commissioners may perform notarial acts for "subjects or citizens of Consularly "unrepresented Powers," and as there are many open ports in China at which the United States is "Consularly unrepresented", the subject becomes of immediate importance to us.

As such I beg to submit it to the Department for consideration and such instructions as may appear necessary.

I have the honor to be, Sir,

Your obedient servant,

Chester Holcombe

Enclosures

11

Enclosures.

1. Prince Kung to Mr. Holcombe.
   C3/1882. June 25th, 1882.
2. Mr. Holcombe in response.
   C8/1882. July 1st, 1882.

Despatch No. 142

Enclosure 1.

63/1882.

Prince Kung, Chief Secretary of State for foreign affairs, herewith makes a communication.

Some time since the Inspector General of Customs, acting upon a report from the Commissioner of Customs at Canton, to the effect that a captain of one of the steamers of the China Merchants Company had requested him to note a protest in case of an insurance upon his ship's cargo, requested this Yamen to frame a Code of Regulations to meet such cases. Thereupon I called upon the Northern and Southern Superintendents of Trade for reports in the premises.

They reported that the noting of protests for the China Merchants company in

in cases of disaster was in order to furnish evidence for claims for damages from Insurance Companies, and was of great importance. If protests could be filed at the Customs in the several open ports in China, it would be the right thing to do, etc.

This Office then directed the Inspector General to draw up a series of regulations which he did, and submitted ten rules with forms of protest annexed, for my consideration. These were in turn sent to the Northern and Southern Superintendents of Trade with a request for their opinions upon them. They replied that the rules drawn up by the Inspector General appeared to meet the case.

I then directed Mr. Hart to report to me what measures he would suggest by which to cause these rules to be Known

(and

and observed by officials and people.

I am now in receipt of his reply stating that the rules and forms for notarial acts having regard to ships and cargoes should be put into printed book form; that the Northern and Southern Superintendents of Trade should be requested to instruct all Intendants of Customs and deputies at the various ports to observe them; that proclamations to the same effect should be posted in public at every Custom-house; and that copies should be communicated to the Representatives of the various Powers having treaties with China, while the Inspector General for his part, would instruct the Commissioners of Customs at the several ports to carry the rules into effect. With this reply Mr. Hart forwarded bound copies of the rules.

It therefore has become my

duty

duty to furnish you a copy of the printed rules, that you may issue instructions for their observance,

Hon. Chester Wilcombe,

etc, etc, etc,

Peking, June 25th 1882.

RULES

REGARDING

NOTARIAL ACTS TO BE PERFORMED BY COMMISSIONERS OF CUSTOMS,

AND

FORMS OF PROTEST.

RULES

REGARDING

NOTARIAL ACTS TO BE PERFORMED BY COMMISSIONERS OF CUSTOMS,

AND

FORMS OF PROTEST.

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TEN RULES

REGARDING

NOTARIAL ACTS TO BE PERFORMED BY COMMISSIONERS OF CUSTOMS.

1°.—The Commissioners of Customs are authorised to perform notarial acts for Chinese merchants and shipping, and also for the people and vessels of non-Treaty Powers, and for others consularly unrepresented, who may be in need of such assistance. By Commissioner of Customs is meant the Commissioner, Deputy Commissioner, or Assistant for the time being in charge of the office of Customs.

2°.—Before the expiration of the day following the day of arrival in port, the master of a vessel may present himself before the Commissioner of Customs to note a protest.

3°.—Before clearing, the master may again appear before the Commissioner of Customs to extend his protest. An extended protest is to be drawn up from the log-book, or from his own recollection, or from that of the mate, engineers, and trustworthy mariners, and is to be a declaration or narrative of the storms or bad weather which the vessel has encountered, the accidents which have occurred, and the conduct which the master had thought proper to pursue. Such extended protest is to be signed by the master, mate, and one or more others.

4°.—Masters may likewise appear before Commissioners of Customs to note and extend protests in case of—

(a.) Loss by collision,
(b.) Charterers not loading,
(c.) Consignees not taking delivery,
(d.) Demurrage payable under charter-party,
(e.) Documents requiring witness to signature, etc., etc., etc.

5°.—Merchants may similarly appear before Commissioners of Customs to protest against masters for misconduct, drunkenness, etc., for not proceeding to sea with due despatch, for not signing bills of lading in customary form, and other irregularities.

6°.—The fee for witnessing a signature or noting a protest shall be *one tael*, and for extending a protest *five taels*. For each official copy of any such document the fee shall be *one tael* for every hundred words or fraction thereof.

7°.—Protests shall be in accordance with the following blank forms, 1 to 7, and shall be in the English or Chinese language.

8°.—Non-Treaty Power subjects, as also the subjects or citizens of consularly unrepresented Powers, may in the same way apply to the Commissioners of Customs when in need of notarial assistance.

9°.—All fees thus collected shall be accounted for in the Commissioner's Account *D*.

10°.—Commissioners will keep Protest Books in the Commissioner's office, and will report quarterly to the local Superintendent all protests noted, notarial acts performed, and fees collected. If copies of documents are required for transmission to other yamêns, the Commissioner will supply them.

SEVEN FORMS OF PROTEST.

No. 1.

NOTE OF PROTEST: FORM.

On this day of in the year one thousand eight hundred and (Kwang Hsü, year, moon, day) personally appeared at the office of , Commissioner of Customs, , master of the * vessel, the " ," and made statement as follows: That the " " sailed from on the day of last, and arrived at on the day of , laden with a cargo of , and that he, the said master, fearing damage owing to weather encountered during the voyage, causes this protest to be entered in this register.

* Nationality.

† .....

† Signature.

Master of the ‡ *vessel* § " ."

‡ Nationality.
§ Vessel's name.

Now whereas the master of the said vessel has appeared and noted this protest at my office, I, Commissioner of Customs at , hereby sign and seal the same in attestation thereof.

.....

Commissioner of Customs, ,
in the Empire of China.

For Seal.
.....(date.)

No. 2.

EXTENDED PROTEST: FORM.

By this public instrument of protest, be it known and made manifest unto all people, that on the day of in the year one thousand eight hundred and (Kwang Hsü, year, moon, day) personally appeared before me, , Commissioner of Customs at , , master of the * vessel, the " ," belonging to

* Nationality.

, chief mate, and
seaman, of the said vessel, who did, severally, duly and solemnly declare and state as follows: That these appearers set sail in the said vessel from
on the last, bound from thence to
laden with a cargo of , the vessel being then tight, staunch, and strong, well-manned, victualled, and sound, and in every respect fit to perform the said intended voyage; that they proceeded on their voyage†

† Here state incidents of voyage, and, in particular, full details of the special casualty which was met with, and its results.

‡ Master's name. and this appearer, ‡ , further declares that on the day of he appeared at the office of me, the said Commissioner of Custom and caused his protest to be duly noted.

AND these appearers do protest, and I, the said Commissioner of Customs, do also prote against the aforesaid bad weather, gales, storms, accidents, and occurrences, and all loss damage occasioned thereby, the same being entirely owing to the facts and circumstances befo mentioned.

WE, master, mat and seaman, do solemnly and sincerely declare that t foregoing statement is correct, and contains a true account of the facts and circumstances; a we make this solemn declaration conscientiously believing the same to be true.

(Signature) ..... *Master.*

(Signature) ..... *Mate.*

(Signature) ..... *Seaman.*

§ Nationality. NOW WHEREAS the said master and others of the said § vessel ha declared, protested, and signed at my office, I, Commissioner of Customs at hereby sign and seal this same protest in attestation thereof.

For Seal.

(date.)

.....

Commissioner of Customs,

in the Empire of China.

No. 3.

COLLISION PROTEST: FORM.

BY this public instrument of protest, be it known and made manifest unto all peopl that on the day of in the year one thousand eig hundred and (KWANG HSÜ, year, moon, day) personally appeared before me, Commissioner of Customs at ,

* Nationality. master of the* vessel, the " ," belonging , mate, seaman, of the said vessel, who did, severally, duly and solemnly declare an state as follows: That on the these appearers s sail in the said vessel from bound to laden with a cargo of , the said vessel being then tight, staunch, an

strong, well-manned, victualled, and sound, and in every respect fit to perform her said intended voyage; and these appearers,
for themselves, declare and say that about †

† Here state incidents of voyage, and, in particular, full details of the special casualty which was met with, and its results.

and this appearer, ‡ , the master of the said vessel, does further state that on the day of he appeared before me, the said Commissioner of Customs, and caused his protest to be duly noted. ‡ Master's name.

AND these appearers do protest, and I, the said Commissioner of Customs, do also protest against the said vessel, and the said collision, striking facts, and occurrences, and all loss or damage occasioned thereby.

WE, , , and , do solemnly and sincerely declare that the foregoing statement is correct, and contains a true account of the facts and circumstances; and we make this solemn declaration conscientiously believing the same to be true.

(Signature) ..... *Master.*
(Signature) ..... *Mate.*
(Signature) ..... *Seaman.*

NOW WHEREAS the said master and others of the said § vessel have declared, protested, and signed at my office, I, Commissioner of Customs at , hereby sign and seal this same protest in attestation thereof. § Nationality.

.....

Commissioner of Customs, ,
in the Empire of China.

For Seal.
(date.)

No. 4.

DEMURRAGE PROTEST: FORM.

BY this public instrument of protest, be it known and made manifest unto all people, that on the day of in the year one thousand eight hundred and (KWANG HSÜ, year, moon, day) personally appeared before me, , Commissioner of Customs at , , master of the * vessel, the " ," belonging to , who did duly and solemnly declare and state as follows: That he, this appearer, as such master as aforesaid, did on or about the day of last let the said ship to freight to , and a charter-party of the said vessel for a voyage from to was entered into on the said day of last, and made between this appearer of the one part, and the said of the other part, for the said voyage, whereby it was, amongst * Nationality.

† Here state the number of days allowed for unloading and reloading, and the amount per day to be paid for demurrage, as mentioned in the charter-party.

other stipulations, engaged and agreed †

‡ Here state briefly vessel's employment from date of charter-party until and including arrival at present port.

that this appearer, pursuant to the said charter-party, did ‡

and the said vessel having been duly reported, this appearer gave notice to and Company, the agents at of the sa , and to which agents the vessel (*or* cargo) was addresse that this appearer was ready to receive on board (*or* deliver) the said cargo of goods; and th the agents of the said charterer caused the discharge (*or* shipment) of the said cargo of goo to be commenced, but that they did not complete the discharge (*or* loading) thereof until t day of , being days beyond the tim herein-before mentioned and allowed in and by the said charter-party to the said freight or his agents for discharging (*or* loading) the said vessel at aforesaid, whereby the said charterer hath become liable to pay demurrage for such delay detention, pursuant to the said charter-party, for days, at and after the ra of per day, amounting to the sum of

WHEREFORE, the said appearer, , on behalf of the owne of the said vessel, and on behalf of himself as master, doth protest, and I, the said Commission of Customs, at his request, do also protest against the said charterer, , and against his agents, the said and Compan and against all and every other person or persons whomsoever responsible or liable, or who these presents do, shall, or may concern, and holding him and them responsible and liable f the breach of the said charter-party, and for all demurrage, damage, injury, loss, wages, cos and expenses incurred, owing, or sustained, or to be incurred or sustained, by reason of the sa breach, delay, detention, or other premises.

§ Signature.

§ .....

|| Nationality.

Master of the || *vessel* ¶ "

¶ Vessel's name.

NOW WHEREAS the master of the said vessel has declared, protest and signed as above at my office, I, the said Commissioner of Customs, hereby sign and seal th same protest in attestation thereof.

For Seal.

(date.)

.....

Commissioner of Customs,

in the Empire of China.

No. 5.

PROTEST AGAINST CONSIGNEES: FORM.

By this public instrument of protest, be it known and made manifest unto all people, that on the day of in the year one thousand eight hundred and (Kwang Hsü, year, moon, day) personally appeared before me, , Commissioner of Customs at , , master of the * vessel, the " ," belonging to , who did duly and solemnly declare and state as follows: That this appearer did on or about the day of last, receive on board the said vessel at the port of , †

* Nationality.

† Here describe the goods.

all of which were shipped on board her there by Messrs. , addressed to , at aforesaid; and this appearer duly signed bills of lading as customary, expressing the said goods to be deliverable to the said at ; that this appearer proceeded with the said goods on board the said vessel to aforesaid, where she arrived on the day of , and on the day of , when the said vessel had been reported and had got into a proper berth for discharging, this appearer gave notice to the said , to whom the said goods were addressed, that this appearer was ready to deliver the said goods, but from that time up to the date and making of these presents, neither the said nor any other person on his behalf hath received or discharged the said goods, notwithstanding this appearer hath several times applied to and requested the said to have the said goods discharged from the said vessel and received by him; and that such delay and neglect are unreasonable and injurious to the interests of the owners and master of the said vessel.

Wherefore, the said appearer, , on behalf of the owners of the said vessel, and on behalf of himself as master, doth protest, and I, the said Commissioner of Customs, at his request, do also protest against the said , and against all and every other person or persons whomsoever responsible or liable, or whom these presents do, shall, or may concern, and holding him or them responsible and liable for all demurrage, damage, injury, loss, wages, costs, and expenses incurred, owing, or sustained, or to be incurred or sustained, by reason of the said unreasonable delay, detention, or other premises.

‡.....

‡ Signature.

Master of the § *vessel* ‖ " ."

§ Nationality.
‖ Vessel's name.

NOW WHEREAS the master of the said vessel has declared, pro
and signed as above at my office, I, the said Commissioner of Customs, hereby sign and se
same protest in attestation thereof.

For Seal.

.....(date.)

.....

Commissioner of Customs,
in the Empire of China.

No. 6.

PROTEST BY SHIPPERS AGAINST MASTER'S REFUSAL TO SIG THE USUAL BILL OF LADING: FORM.

BY this public instrument of protest, be it known and made manifest unto all p
that on the day of in the year one thousand
hundred and (KWANG HSÜ, year,
moon, day) personally appeared before me,
Commissioner of Customs at , one of the firm of
and Company, of ,* merchant
shippers of goods and merchandise per vessel the " ," bound on a v
from for , and
of , clerk to the said and Com
who did, severally, duly and solemnly declare:—

And first, this appearer, the said , for himself, did declar
state as follows: (that is to say,) that this appearer did attend for the said
and Company, the shippers, and did conduct the delivery on the
, at and alongside the said vessel the " ," of
and merchandise mentioned in the duplicate (*or* copy) bill of lading hereunto ann
that , the master of the said vessel, signed and gave a
lading for the † of merchandise therein mentioned, with ‡

and that the said and Company objected to the same
that this appearer, the said , was present, and did see th
of merchandise carefully delivered at and alongside the said ves
aforesaid, in the usual manner, and left under the charge o
mate and crew thereof, and that on this day of
appearer, the said , did deliver to the said
a notice and demand, signed by the said and Compa
which a copy is hereunto annexed; but the said refu
comply therewith or to sign or deliver any other bill of lading in another form.

* Nationality.

† Quantity, *e.g.*, 7 chests.

‡ Here state the words entered on the bill of lading and objected to as uncustomary.

And the appearer, the said , for and on behalf of himself and of his said co-partner in trade, under the said firm of and Company, and for and on behalf of all other persons who are or shall or may be interested in the said goods and merchandise, doth declare and protest before me, and I, the said Commissioner of Customs, at the request of the said shippers, the said and Company, do protest against the owners and the said master of the said vessel for and in respect of the said refusal and neglect to sign and give a correct bill of lading for the said goods in the usual and customary form, and for and in respect of all fall of markets, loss, damage, costs, or expenses which the said shippers, or any other person or persons who is or are or shall or may be or become interested therein, have or hath incurred or may incur by reason of the premises.

(Signature) .....

(Signature) .....

Now WHEREAS the said merchants have appeared, declared, protested, and signed as above at my office, I, the said Commissioner of Customs, hereby sign and seal this same protest in attestation thereof.

For Seal.

(date.)

.....

Commissioner of Customs, ,

in the Empire of China.

No. 7.

NOTICE TO MASTER DEMANDING USUAL BILL OF LADING: FORM.

To Captain , master of the vessel called the " ."

We, the shippers of * of merchandise, hereby give you notice that we object to the qualification or exception of †

* State quantity.

† Here fill in the actual words inserted in the bill of lading which are objected to.

shipped without our consent to the bill of lading signed by you for the said goods for , and that we hold you and the owners of the vessel responsible for the value and safety of all and every goods which we shall prove to have been delivered at the said vessel; and we demand and require you forthwith to sign and deliver to us a bill of lading for the said goods, in a usual and customary form; and we give you notice that in default thereof we shall protest against you, and we shall hold you and the owners of the vessel responsible for all loss, damage, costs, or expenses by reason of the premises.

, day of 18 .

.....and Company.

隨京字第壹千貳百捌拾柒號

總理衙門劄行總稅務司

爲劄行事案查招商局鎮東船主請准報明船貨立保險證據一案曾經總稅務司於光緒七年五月二十九日遵將所擬之立據專章十條證據式樣一紙備譯漢洋文各一分申送並聲明此項章程俟奉准後如何知照官民遵辦再由總稅務司議擬等因當經本衙門咨行南北洋大臣核復去後茲准咨復總稅務司所擬專章證據事可准行仍請劄將前章如何知照官民遵辦一併議復由本衙門酌定劄遵等因前來相應劄行總稅務司即將前章如何知照官民遵辦之處詳細議復以便本衙門酌核轉劄遵辦可也須至劄者光緒七年閏七月二十三日

總字第壹千壹百叁拾柒號

等語詎交來之憑單內有該船主所添寫　　之字樣本商未便接收緣所載之件前送船時當面交該船執事人等點收各該件並無不妥之處而該船主交出之單何以有前項增添字樣旋經本商於　月　日照章繕寫一索憑單之字令該船主換給尋常載貨憑單而該船主迄今未肯付給是以本商特立索單之據所有本行受虧及各項多費之銀兩並貨物虧本之處均應由該船人等賠償本商在紙上畫押此照

行　　押

光緒　年　月　日
西歷

本稅務司查該商親身來關將該船主不肯發給尋常載貨憑單情形繕立索單之據合行一同蓋印畫押備查可也須至證據者

出口貨主索憑單之字式樣

茲者本商　在　船裝載貨物　件　貴船主所發載貨憑單內開有　字樣本行未能依從現在特請

貴船主換發尋常載貨憑單一紙爲要如不肯照換本行特先告明此事不甘除所有本商交載各貨須按數妥運交出外倘有受虧損處須由

貴船人等賠償一切也此敢

光緒　年　月　日具行　　押
西歷

再總稅務司查所應立證據畧備於新約可類見此外尚有應行繕具各式

口點交　商照收本船於　月　日到　口報關並知會應收貨之商前來取貨迄今延擱未來是以本船主特此專立貨主欵延卸載之據

所有欵擱日期本船受礙以及多費銀兩各等被累之處應由該貨主等賠償本船主在此紙上畫押此照

船主　押

本稅務司查該船主親身來關將貨主不取貨之情形繕立此據合行一同蓋印畫押備查可也須至證據者

光緒　年　月　日
西歷

出口貨主索單證據式樣

光緒　年　月　日有貨商　親身赴　關稅務司公署繕
西歷

稱本商於　月　日在　船上裝載貨物該船船主　承裝貨物共　件應交載貨憑單一紙於單內寫明

等語本船主按照合同於　　口裝貨開行運往於　　月　　日到
口報關並知會貨商前來裝卸貨該商於　　月　　日即將貨裝卸
完催按合同內訂明祇准裝卸貨　　日照此核計該貨商欵攔本船
日所有按合同應賠銀兩應向該商索取本船主特此專立佔船之據所有
欵攔日期本船受礙以及各項多費銀兩各等被累之處應由該貨商等賠
償本船主在此紙上畫押此照

船主　　押

本稅務司查該船主親身來關將欵攔該船情形繕立佔船之據合行一同
蓋印畫押備查可也須至證據者

光緒　年　月　日

進口貨主欵延卸載證據式樣

光緒　年　月　日有　　國商船　　船主　　親身赴
關稅務司公署繕稱本船於　　年　　月　　日在　　口內已裝
後開之貨

等語此該船主赴關將不服各件情事全行註解帶同本船　人等將
遇見之船碰壞本船情形又本船受損之處全行告明繕立碰據至我等
所呈實係一一證明並無錯誤在紙上畫押此照

船主
大副
人

本稅務司查該船主　等人來關呈明以上被碰壞船隻不服情形繕立
碰船證據合行一同蓋印畫押備查可也須至證據者

光緒　年　月　日
西歷

裝
卸貨不按合同佔船之據式樣

光緒　年　月　日有　國商船　船主　親身赴
西歷

關稅務司公署繕稱於　年　月　日有　商雇訂
本船運貨寫立合同內開本船裝貨由　口運往　口並訂明裝卸貨物
之期共　日

等情該船主且稱於次日赴稅務司署專立預據至本船傷損皆因在海途遇變天風浪一切不能預防之故所以我等將確實情形申訴稅務司繕立後據告明不服至我等所呈均是我等所知所信並無錯謊一一證明在此紙上畫押此照

船主　　押
大副
人

本稅務司查該船主等人親身來關說明過海遇變不服事由立據畫押合行一同蓋印畫押備查可也須至證據者

光緒　年　月　日
西歷

碰船立據式樣

光緒　年　月　日有　國　船主　大副　人
西歷

親身赴　關稅務司公署隔別呈明本船在　地方當時放洋船身堅固無恙水手人等均屬諳練足額食物雜件均備齊全行海可靠以上所訂自　年　月　日出口運往　地方裝載貨物於

計開

預據式樣

光緒　年　月　日據　國商船　船主　親身赴
西歷

關稅務司署中繕稱本船在　地方裝載　貨於　年　月
日開船出口於　年　月　日到　地方進口因途中出
有難服情事本船主特來專立預據此照

船主　押

本稅務司查該船主既經立據畫押合行一同蓋印畫押備查可也須至證
據者

光緒　年　月　日
西歷

後據式樣

光緒　年　月　日據　國商船　船主　大副
西歷

人等親身赴　關稅務司署隔別口稱我等本船在
地方裝載貨物於　年　月　日開船出口運往　地方
當時出洋本船船身堅固結實水手人等諳練足額食物雜件均備齊全本
船行海實屬可靠今走海道途中遇著意外之事我等衆人眼見所有情形
寫明於後

第五款

凡商人若以爲某船船主有爲不應爲之事或有酒醉不端或有駡悞不按時開船以及載貨憑單未肯照尋常式樣給還各情事亦准一律親赴稅務司處繕立各據

第六款

凡赴稅務司處畫押爲憑以及繕立各項証據應繳立據之稅銀壹兩整惟後據一項應繳伍兩至請抄錄備查各件在一百字以內應繳銀壹兩一百字以上應繳銀貳兩二百字以上應繳銀叁兩以此遞加

第七款

凡立各據應照功牌式樣繕寫或用漢文或用英文均可

第八款

凡無約以及無領事官之商民倘有應行畫押立據之事亦可任便隨時親赴稅務司處繕立

第九款

凡商民立據繳稅之銀兩應由各該稅務司在稅務司另款之帳目按結核報

第十款

凡立各項証據之印簿應存稅務司處由稅務司按結將所立之各據以及所繳之銀數知會本關監督查照倘其內有應轉申之件即由該稅務司照錄備呈

鑒核

計開

第一款

凡通商口岸華民船商以及無約或無領事官之商倘有應行畫押立據一切事宜均准任便隨時親赴稅務司處繕立 指示各關辦理稅務之人勿論正任署任及代理人員於據內均稱本關稅務司

第二款

凡商船進口應准由該船主於進口次日限內親赴稅務司處繕立預據

第三款

凡船主立預據後出口之先倘有應立後據之故應准帶同本船大副人等復行親赴稅務司處繕立後據此後據應將其船行海時按照日記簿所錄並按照船主大副管輪水手人等所見所聞記清之事如何遇見變天風浪如何遇見一切未能預料未能防範之險一一詳細繕寫並應將該船主人等遇險之時如何設法防範如何設法救援一律註明畫押立據

第四款

凡船主倘有應繕立後開各項証據亦准一律赴稅務司處繕立

一船碰船之據

一裝貨逾限之據

一卸貨佔船之據

一違背合同耽擱船事之據

一各項應行畫押爲據之件

日後卽不能立後據預據與後據若非按章繕立則保險局或有不按保數賠償之詞除此預據後據爲保險事應立之證外尙有船商貨商應立他項防損之據等件卽如有立合同僱船之貨商不按合同限期載貨期滿時船主則應立一逾限之據或船已到口應收貨之商人不按日期前來收貨則該船主應立有佔船之據或於貨商載貨後船主不肯給還其尋常載貨之憑單則貨商卽應立一索單之據似此各項證據皆與商旅大有關繫並係各國領事官尋常應辦之事今欲將華船爲保險應立各據由稅務司經手其他項應具各證據不若一律屬之於稅務司爲宜再凡係無約各國並有約而無領事官之商人皆時須立有此等證據似亦應准由稅務司代爲繕立總之商民畫押立據一切事宜若訂有明章准其隨時赴稅務司處繕立則此章實與各口商民不無小益現奉前因除將所擬之專章十條證據式樣一紙繕妥錄呈

鑒核外合卽備文申請

鈞裁酌奪示覆施行倘得照辦則其應如何知照官民遵辦一層應由總稅務司再行訂擬備文申呈一切可也須至申呈者

光緒七年五月二十八日

附呈 立據專章拾條 漢洋各壹分
證據式樣壹紙 漢洋各壹分

京字第壹千貳百捌拾柒號

爲申覆事前奉光緒六年十二月初二日
劄開准申據粵海關稅務司詳稱招商局鎮東船主請准在本關報明船貨遇
險立保險證據應請訂立專章劄飭各口稅務司准各關查明繕立等因當
咨
南北洋大臣酌覆准覆稱局船遇險立證係爲保險賠償之憑據關係甚重如
在中國通商口岸報關立據事屬正辦此項憑據應由各關稅務司查明繕
立送監督加蓋印信並訂立專章知照洋官飭保險局遵辦等因前來本衙
門復查無異相應劄行總稅務司轉飭各關稅務司照辦其應如何議立專
章之處仍由總稅務司酌議申報核奪等因奉此查凡保險局保船保貨其
作保之意係日後倘有未能預料之險事出致船貨等受損若係人力所不
能預爲防範之端該局即准照所保之數賠償故船貨受損船戶貨主須將
其未事之先莫能預料之處並實出於人力所未能預防之端立據呈局是
以凡有船於行海時恐出有他故該船主於進口之日即應親赴該管之衙
門繕立預先之據而此預據之意即係爲船貨受損之事預爲立約言明進
口後所查出船貨受損之處實係行海時非人力得能預防所致云云其後
一查出船貨如何受損之處該船主帶同該船大副等攜日記簿復行親赴
該管衙門將其未能預爲防範之故詳細繕明立一後據其先若未立預據

貴衙門新訂專章劄飭各口稅務司若遇有中國船隻以及無約各國船隻呈請立此等字據備案者准各關稅務司查明繕立則於商務實有裨益合行備文呈請

查核示覆遵照施行可也須至申呈者 光緒六年六月二十九日

京字第壹千貳百陸號

總理衙門劄行總稅務司

爲劄行事前准總稅務司申稱據粵海關稅務司詳稱現有招商局鎮東船主請准在本關報明船貨受損係因經過海洋之險並非船不堅固或船上人未能用心所致以爲日後之證並請准於此證屆限滿時到關展限以便憑用等情查外國船隻向有赴保險局分別船貨立據章程茲招商局船主赴粵海關稅務司擬立此等證據應請訂立專章劄飭各口稅務司准各關查明繕立等因當經本衙門咨行

南北洋大臣酌復在案茲准復稱局船遇險立據係爲保險局賠償之憑關繫甚重如在中國通商口岸報關立據事屬正辦此項憑據應由各關稅務司查明繕立送請各關監督復查加蓋印信給發一面定立章專知照洋官預飭洋商保險局遵辦以杜臨時推諉等因前來本衙門復查無異相應劄復總稅務司轉飭各關稅務司照辦其應如何議立專章之處仍由總稅務司酌議申報本衙門核奪可也須至劄者 光緒六年十二月初二日

爲申呈事竊前據粵海關稅務司詳稱現有招商局鎮東輪船船主前來請准在本關報明船貨受損係因經過海洋之險並非船不堅固或船上人未能用心所致以爲日後之證並請准於此證屆限滿時到關展限以便憑用等情當經明晰告知以本稅務司雖無立此等字據之權現既到關報明請爲立據本稅務司無不顧照繕備案若嗣後欲憑用此證亦爲照給第未知可實作證據與否等語查中國船隻設遇此等事出在通商口岸但有稅務司一員可由船主就近呈報實屬勢難推諉究應如何辦理之處相應詳請酌核示遵等因前來總稅務司查外國船隻裝載貨物來往各國向有赴保險局將船與貨分別保險日後該船或船之貨物倘有失事或受損該保險局應照局章按該商所保之數賠銀若干其局章內載凡船進口時限一日內赴該管之官署將其船行過海一次爲立一前據若船與貨有損毀處再展限若干日復赴官署將其如何受損之情形詳細爲立一後據若未經立有前據即不准立後據未經立過前後兩據該局則無庸爲賠保險銀兩等語茲招商局鎮東船船主赴粵海關稅務司立此等證據係各口可見之事若就近並無官員執有立據備案之權殊多掣肘與招商局船貨保險之事甚有關礙惟各口稅務司並無此立證據之權應請由

船貨立據專章

Despatch No. 142.
Enclosure 2.

No. 68/1882.

Mr. Holcombe to Prince Kung.

July, 1st, 1882.

Your Imperial Highness

I have had the honour to receive your despatch of the 25th instant forwarding certain printed rules and forms prescribed under the direction of Your Imperial Highness by the Inspector General of Customs which Your Imperial Highness has authorized the Commissioners of Customs to use in the performance of certain duties of a notarial character. Your Imperial Highness requests me to issue

instructions

instructions that these rules may be observed.

In reply I beg leave to inform Your Imperial Highness that, under the laws of the United States, a person is qualified to perform the functions of a Notary Public, only when he holds a commission for that purpose issued either by the General Government or by the Governor of a State, or when, being an officer and holding a commission for the performance of duties of another class, he is by special statute authorized, in addition thereto to act as —

Notary

Notary Public.

For Example all Secretaries of Legation and Consular Officers of the United States are empowered by special act of Congress to perform notarial duties.

In my opinion, and in view of the peculiar character of our laws upon this subject, no protests or other document of this sort executed in China would be of legal value in a court of the United States unless executed either before a Consular Officer of the United States or the Secretary of this Legation.

Under

Under these circumstances I do not feel at liberty to issue the instructions requested by Your Imperial Highness until the question has been laid before my Government. When its instructions in the premises shall have been received, I shall again address Your Imperial Highness.

I have &c—

(Signed) Chester Holcombe.

Mr Williams

No. 143. One Enclosure.

Legation of the United States.

Peking, July 12th, 1882.

DEPARTMENT OF STATE
SEP
4
1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Salary account.

Synopsis.

Refers to dispatch number 139, and encloses a duplicate statement.

M filed

No. 143. One Enclosure.

Legation of the United States.

Peking, July 12th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:

Referring to my despatch number 139, I have the honor to enclose herewith a duplicate statement of the account for salary which it contained. 1/143.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosure.

1. Duplicate of salary account quarter ended June 30th, 1882.

Mr Williams

No. 144. One Enclosure.

Legation of the United States.

Peking, July 12th, 1882.



Chester Holcombe to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Refers to despatch number 140. and encloses a duplicate statement.

M filed

No. 144. One Enclosure.

Legation of the United States.

Peking, July 24th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:

Referring to my despatch number 140., I have now the honor to forward herewith 1/144. a duplicate statement of the rent account of this Legation for the quarter ended with the 30th ultimo.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosure.

1. Duplicate of rent account second quarter, 1882.

Mr Williams

No. 145. One Enclosure.

Legation of the United States.

Peking, July 12th, 1882.

DEPARTMENT OF STATE
SEP
4
1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Incidental expense account.

Synopsis.

Refers to dispatch number 141. and covers a duplicate statement.

M filed

No. 145. One Enclosure.

Legation of the United States.

Peking July 12th, 1882.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

Referring to my despatch number 141, I have the honor to transmit herewith a duplicate statement of the incidental expenses of this Legation for the quarter ended June 30th, 1882. 1/145.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosure.

1. Duplicate statement of incidental expenses — 2nd quarter, 1882.

ack

File

No. 146.

Legation of the United States.

Peking, July 13th/4, 1882.

DEPARTMENT OF STATE
SEP
4
1882
RECEIVED

Chester Holcombe to the Secretary of State.

Subject.

Treaty between Germany & Corea.

Synopsis.

This treaty signed upon the 30th/4 June. Identical with ours. Russian, Italian, Spanish and Netherlands Ministers soon to go to Corea to make treaties upon the same basis.

No. 146.

Legation of the United States.

Peking, July 13th, 1882.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:-

Referring to my earlier despatches in relation to treaty negotiations between various Western Powers and Corea, I have the honor to inform you that a treaty was signed between Germany and Corea upon the 30th ultimo. It is identical in terms with our own as concluded by Commodore Shufeldt.

I am informed that the

the Russian, Italian, Spanish, and Netherlands Ministers at this Court will shortly proceed to Corea to negotiate treaties on behalf of their several Governments. It is understood that they all receive the good offices of China, upon the condition that our treaty is accepted as a basis and model for their negotiations.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe